

Fiscal Year 2005

MARYLAND JUDICIARY

Administrative Office of the Courts

Department of Family Administration

annual report

**of the Maryland Circuit Court
Family Divisions and
Family Services Programs**

Family Divisions & Family Services Programs ANNUAL REPORT

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TABLE OF CONTENTS

A MORE SOPHISTICATED APPROACH	1
FAMILY DIVISIONS AND FAMILY SERVICES PROGRAMS	3
ACCESS TO JUSTICE	12
Standard 1.1 Equal Access	12
Standard 1.2 Cost of Access	13
Standard 1.3 Safety, Accessibility and Convenience	14
EXPEDITION AND TIMELINESS	16
Standard 2.1 Case Management System	16
Standard 2.2 Protection of Victims of Domestic Violence	18
Standard 2.3 Processing Child Dependency Matters	21
Standard 2.4 Resolution of Juvenile Delinquency Cases	25
Standard 2.5 Coordination of Family Legal Issues	27
EQUALITY, FAIRNESS AND INTEGRITY	28
Standard 3.1 Integration of Related Family Matters	28
Standard 3.2 Fairness and Equality for Court Staff	29
Standard 3.3 Responsiveness to Child Support Issues	30
Standard 3.4 Treatment of Unrepresented Parties	32
INDEPENDENCE AND ACCOUNTABILITY	36
Standard 4.1 Performance Issues	36
Standard 4.2 Information Sharing	38
Standard 4.3 Fair and Efficient Forum for Dispute Resolution	38
Standard 4.4 Safety and Security	39
Standard 4.5 Uniform Qualifications	40
PUBLIC TRUST AND CONFIDENCE	41
Standard 5.1 A Therapeutic, Holistic, Ecological Approach to Family Law Decision-Making	41
Standard 5.2 Fairness, Courtesy and Civility	42
Standard 5.3 Visible Presence in the Community	42
A NUANCED APPROACH TO FAMILY COURT REFORM	43

LIST OF TABLES

Table 1. Total Family Cases Filed or Reopened in Fiscal Year 2005	17
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LIST OF FIGURES

Figure 1. Juvenile and Dependency Drug Courts in Operation or in the Planning Phase in Maryland Circuit Courts	5
Figure 2. Number of Maryland Jurisdictions Offering Specific Family Support Services – FY05	5
Figure 3. Referrals to Child Access Mediation – FY00 – FY05	7
Figure 4. Referrals to Co-Parenting Education – FY00 – FY05	7
Figure 5. Education Levels of Co-Parenting Participants – FY05	8
Figure 6. Self-Identified Ethnicity of Co-Parenting Participants – FY05	8
Figure 7. Household Income of Co-Parenting Participants – FY05	8
Figure 8. Primary Language of Co-Parenting Participants – FY05	8
Figure 9. Gender of Co-Parenting Participants – FY05	8
Figure 10. Individuals Assisted by Family Law Self-Help Centers – FY00 – FY05	9
Figure 11. Legal Forms Helpline Intakes – FY03 – FY05	9
Figure 12. Legal Forms Helpline – Case Types – FY05	9
Figure 13. Cases Referred for Custody Evaluations – FY00 – FY05	10
Figure 14. Cases Referred for Mental Health Evaluations – FY00 – FY05	10
Figure 15. Substance Abuse Screenings, Evaluations and Treatment – FY02 – FY05	10
Figure 16. Cases Referred for Visitation Services in FY01 – FY05	11
Figure 17. Cases Including a Referral to Children’s Psycho-educational Programs, FY00 – FY05	11
Figure 18. Family Caseload as a Percentage of Overall Circuit Court Caseload – FY05	16
Figure 19. Family Case Types Heard by Maryland Circuit Courts – FY05	16
Figure 20. Relative Family Caseload by Jurisdiction	16
Figure 21. SPG Grantees Serving Victims of Domestic Violence – Type of Services Provided – FY05	18
Figure 22. SPG Grantees Serving Victims of Domestic Violence – Major Benefit Achieved – FY05	19
Figure 23. SPG Grantees Serving Victims of Domestic Violence – Cases Opened – FY05	19
Figure 24. SPG Grantees Serving Victims of Domestic Violence	20
Figure 25. Family Law Self-Help Centers – Assistance Provided by Case Type – FY05	32
Figure 26. Family Law Self-Help Centers – Referrals and Recommendations Made – FY05	32
Figure 27. <i>Pro Se</i> Appearances in Domestic Litigation - FY05	34
Figure 28. Self-Help Center Demographics – Highest Level of Education – FY05	34
Figure 29. Self-Help Center Demographics – Household Income – FY05	34
Figure 30. Self-Help Center Demographics – Primary Language – FY05	35
Figure 31. Self-Help Center Demographics – Race/Ethnicity – FY05	35
Figure 32. Self-Help Center Demographics – Gender – FY05	35

A More Sophisticated Approach

With seven years of experience in family court reform, the Maryland Judiciary has begun to appreciate the sea change that came with the creation of Family Divisions and Family Services Programs in 1998 and enjoy the benefits of working within a shared consensus about how to address the needs of families and children. The maturation of Maryland's family court reform efforts has permitted the Judiciary to examine quality assurance issues and develop new tools that permit courts to more accurately match the services provided to the needs of individual families. Recognizing that we can always make improvements, the Judiciary seeks to adopt a more sophisticated approach to working with families.

New Tools in the Toolbox

During Fiscal Year 2005, many ongoing projects of the Maryland Judiciary were completed. The Judiciary now has several new tools in the toolbox, designed to improve the quality of services provided to families and children through the Maryland Circuit Court Family Divisions and Family Services Programs. Many of the projects culminated in the publication of **technical resource guides, best practice documents or standards.**

Notable additions to the family justice toolbox include:

- ❖ *Family Court ADR Program Best Practices*
- ❖ *Best Practices for Family Court Programs to Assist Self-Represented Litigants*
- ❖ *Screening Cases for Family Violence Issues to Determine Suitability for Mediation and Other Forms of ADR: Screening Protocols and Tools for Maryland Circuit Courts*
- ❖ *Maryland Standards of Practice for Court-Appointed Lawyers Representing Children in Custody Cases.*

Several publications were also issued to enhance the information available to litigants involved in the family

justice system. These included a series of **six brochures on key child support topics**, prepared and published by the Conference of Circuit Court Clerks' Child Support Incentive Fund Committee.

With funding from the Administrative Office of the Courts, the Maryland Coalition Against Sexual Assault's Sexual Assault Legal Institute also published and distributed a comprehensive litigant guide on ***Understanding the Legal System When Your Child Has Been Sexually Abused.***

Legislative Highlights

The fiscal year was also marked by the implementation and/or passage of key legislation that will have a significant positive effect on Maryland families and children.

In October, 2004, the **Uniform Child Custody Jurisdiction and Enforcement Act** took effect. That law clarified the relationship between state and federal law and improved the interstate enforcement of child custody orders. The Maryland Judicial Conference Committee on Family Law educated legislators about the benefits of the revised uniform law and supported its passage.

After several years of tireless effort, the Department of Family Administration's Foster Care Court Improvement Project succeeded in convincing the Maryland General Assembly to pass the *Permanency for Families and Children Act of 2005*. The bill, which takes effect January 1, 2006, represents a comprehensive rewrite of the termination of parental rights (TPR) and adoption portions of the Juvenile Causes Act.

Court Innovation and Improvement

New initiatives were undertaken to explore and improve the Judiciary's response to children.

The Circuit Court for Wicomico County began hearing the first cases filed in their newly inaugurated **truancy court** in January, 2005. The pilot project, which expanded to the remaining 1st Circuit jurisdictions in Fall, 2005, permits schools and courts to collaborate in addressing the underlying needs of children who are not regularly attending school.

The Foster Care Court Improvement Project launched a new **Model Court Initiative**, by contracting with the National Council of Juvenile and Family Court Judges (NCJFCJ). The NCJFCJ will work with the Circuit Courts for Charles County and Baltimore City to implement innovative practices that enhance the management of child welfare cases.

Better Compliance with Federal Law

A number of Judiciary activities during Fiscal Year 2005 were designed to monitor and improve Maryland's compliance with key federal laws affecting juvenile case types.

The Foster Care Court Improvement Project (FCCIP) played a role with agency partners in preparing for the Child & Family Service Review (CFSR), a federal review of the state's child welfare system. Since the CFSR was completed in November, 2003, the FCCIP has been working with courts to implement key provisions of the

state's **Program Improvement Plan (PIP)**, prepared in response to the CFSR.

FCCIP also collaborated with agency partners to prepare for a **secondary Title IV-E review**, conducted by the federal government to review compliance with the provisions of the Adoptions and Safe Families Act (ASFA). Reviewers noted dramatic improvements in Maryland's compliance with ASFA.

Finally, the Department of Family Administration has been working closely with the Department of Juvenile Services to **create delinquency orders** that comply with federal laws and **to educate courts about how ASFA applies in delinquency matters**.

Training Highlights

In addition to these activities, the Department of Family Administration continued to offer seminars and trainings to court personnel and various stakeholder groups. Events hosted since July, 2004 have included:

- ❖ An annual 3-day conference for juvenile judges and masters, with daylong components for attorneys and agency professionals entitled *Child Abuse Neglect and Delinquency Options (CAN DO)*. The conference was held in St. Michael's, Maryland in October, 2004 and in Flintstone, Maryland in October, 2005.
- ❖ A 40-hour Basic Mediation course in June, 2005.
- ❖ A 20-hour Child Access Mediation course in July, 2005.
- ❖ Training for custody and mental health evaluators on risk assessment in March, 2005.
- ❖ *Helping Spanish Speakers Navigate the Family Justice System: An Orientation for Organizations Serving the Hispanic Community*.

Through its Special Project Grants Program, the Judiciary sponsored a full-day conference in September, 2005, on substance abuse and family court entitled *A Family Disease: The Impact of Addiction and Substance Abuse on Children, Families, Family Courts and Communities*. The University of Baltimore School of Law, Center on Families, Children and the Courts organized the conference for the Judiciary.

MISSION OF MARYLAND'S FAMILY DIVISIONS

The mission of Maryland's Family Divisions is to provide a fair and efficient forum to resolve family legal matters in a problem-solving manner, with the goal of improving the lives of families and children who appear before the court. To that end, the court shall make appropriate services available for families who need them. The court shall also provide an environment that supports judges, court staff, and attorneys so that they can respond effectively to the many legal and non-legal issues of families in the justice system.

Family Divisions and Family Services Programs

Maryland Rule 16-204 created Family Divisions in any Circuit Court with seven or more judges. Family Divisions were created in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County and Prince George's County. Maryland's remaining nineteen (19) jurisdictions each have a Family Services Program. Regardless of size, each jurisdiction offers the same range of services, and similar case management strategies to enhance the experience of families and children involved in domestic or juvenile litigation.

Jurisdiction

Circuit Court Family Divisions have jurisdiction over all civil legal matters relating to the family. This permits the court to coordinate related family matters, streamline the use of services, and develop a more comprehensive understanding of each family. It permits the cultivation of a trained body of judges, masters and court professionals who appreciate and understand the needs of families.

Case types within the jurisdiction of family divisions include:

- ❖ Adoption
- ❖ Child support
- ❖ Child in need of assistance (CINA)
- ❖ Child in need of supervision (CINS)
- ❖ Custody
- ❖ Divorce
- ❖ Domestic Violence
- ❖ Guardianship
- ❖ Involuntary Admissions
- ❖ Juvenile Delinquency
- ❖ Name Change
- ❖ Paternity
- ❖ Termination of Parental Rights
- ❖ Truancy
- ❖ Visitation

A Continuum of Service

Each of Maryland's twenty-four Circuit Court jurisdictions has developed a spectrum of core services to assist families and children involved with the legal system.

Some services are provided directly by the court. Others are made available to litigants through referrals to private non-profit organizations or government agencies. In some instances, courts contract with a private provider to offer the service. Where possible, courts have attempted to build on existing community resources. The Maryland Judiciary has many partners in serving families and it is through collaboration with those partners that we have been able to leverage existing resources to better serve families.

Responding to an Increasing Level of Conflict and Complexity

A number of Circuit Courts have been reporting that cases come to the Family Division or Family Services Program with increasing levels of conflict and complexity. In Baltimore City, while the number of domestic filings has decreased since Fiscal Year 2000, the ratio of contested to uncontested cases has risen significantly.¹ That court has also noticed a significant number of petitions filed by third-party custodians, especially grandparents. Third party cases represented 20% of all custody cases filed in the city during Fiscal Year 2005.² In other jurisdictions, for example, Baltimore County, increasing numbers of cases are requiring a merits trial or multiple hearings. There a 7.8% increase in domestic filings from Fiscal

¹ Circuit Court for Baltimore City, *Annual Report of the Family Division (Fiscal Year 2005)*, (Baltimore, Maryland: October 3, 2005) p. 13.

² *Ibid.*, p. 18.

Year 2004 to Fiscal Year 2005 was accompanied by a 20% increase in merits trials.

Maryland courts have adopted a number of strategies to aid families involved in these high-conflict cases, and cases with complicating issues.

Specialized Parenting Education

The Circuit Court for Baltimore City sought and received grant funding to develop a **specialized education seminar for third-party custodians**. The seminar, to be implemented during Fiscal Year 2006, will focus on strengthening parenting skills and will provide support and communication skills-building sessions for relative caregivers and other third-party custodians.

Parenting Plan Pilot Project

During Fiscal Year 2005, that court also completed collecting data as part of its **Parenting Plan Pilot Project**. The project, begun in April, 2003, with funding from the Department of Family Administration at the AOC, was designed to aid parents in developing parenting plan agreements in divorce cases with contested custody and visitation issues. The study was designed to evaluate the effectiveness of the program using a control group. A final report is expected during Fiscal Year 2006.

High Conflict Domestic Case Processing

The Circuit Court for Baltimore County has decided to tackle head on those cases that demand the most judicial resources and energy. During Fiscal Year 2005 the court convened an advisory committee, and brought in national experts to train stakeholders on promising practices in dealing with high conflict families. The committee developed a **special case management plan for high-conflict cases** to take effect December, 2005. Cases are screened to determine which cases would benefit from this new approach. The family will be provided with a services plan and assigned to one of three high-conflict tracks each of which will be managed by a high-conflict team.

The Circuit Courts for Talbot and Caroline Counties have begun planning a case management strategy for high conflict cases as well which they hope to implement during Fiscal Year 2006. Parents will be educated about and asked to submit written parenting plans to the court and will be given the opportunity for a custody scheduling conference.

Minimizing Post-Judgment Activity

One legacy of divorce and custody litigation is often post-judgment activity. Unlike other types of civil disputes, when a domestic case is over, the parties are often bound in a lifetime relationship because they must continue to

work together to raise their children. This means that while the initial case is over, the conflict may be ongoing. These families often return to court to file contempt petitions alleging that one partner failed to pay child support, or that the other person has not complied with a custody or visitation order. The Circuit Court for Baltimore County noticed a marked increase in the number of contempt hearings being held in that court over the past few years. In the last year alone, contempt hearings increased 67%.³

To reduce the number of contempt hearings held by the court, the Circuit Court for Baltimore County has instituted **pre-hearing contempt conferences** for all contempt petitions filed concerning financial or child access issues. If the case involves child access issues, the conference is scheduled with a court mediator, approximately 25-30 days after the filing of the contempt petition. Mediators assist the parties in developing a parenting agreement to resolve the dispute. If the conference does not resolve all issues, the matter is set in for a contempt hearing. If the case involves financial issues, a volunteer attorney facilitator holds the conference. Of those cases involving financial contempt issues, facilitators have assisted the parties in reaching full agreement in 64% of cases, reducing significantly the number of contempt hearings that are held.

Specialty Courts

The Judiciary continues to promote and support specialty courts with a problem-solving focus including **truancy courts**, and **juvenile and dependency drug courts**. These models permit courts to provide intensive supervision to individuals and families with underlying issues. Under the leadership of the Maryland Drug Treatment Court Commission, a number of jurisdictions have developed drug courts that specifically target substance abuse issues of juvenile offenders and the parents of children involved in the foster care system. Most courts have been able to participate in federal drug court training, and many have benefited from federal funding.

During Fiscal Year 2005, the Circuit Court for Wicomico County began hearing its first cases under its new **truancy court**. Cases filed by the local school board were brought against parents, as well as children who were not attending school regularly. The court hired a truancy court coordinator. Funding provided by the Local Management Board provided “wraparound services,” to address the needs of those children and their families. During Fiscal Year 2006, the truancy court is planning to hold its first graduations. The program will also be expanded to the other 1st Circuit jurisdictions – Somerset, Worcester and Dorchester.

³ Circuit Court for Baltimore County, *Family Division Annual Report, Fiscal Year 2005*, p. 3.

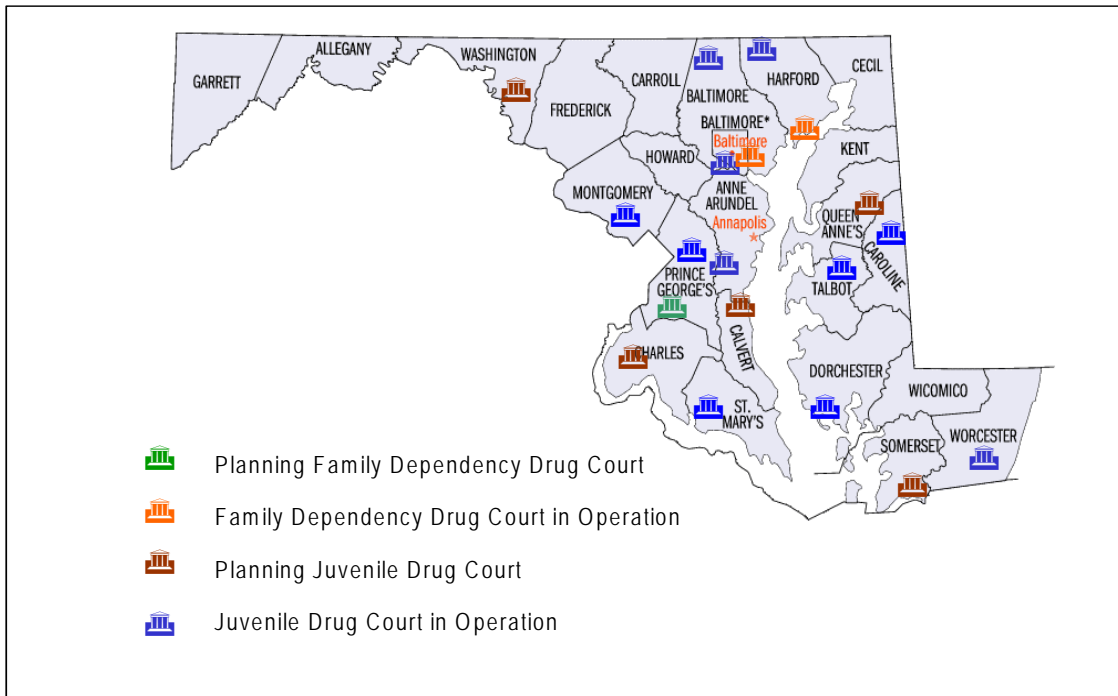


Figure 1. Juvenile and Dependency Drug Courts in Operation or in the Planning Phase in Maryland Circuit Courts

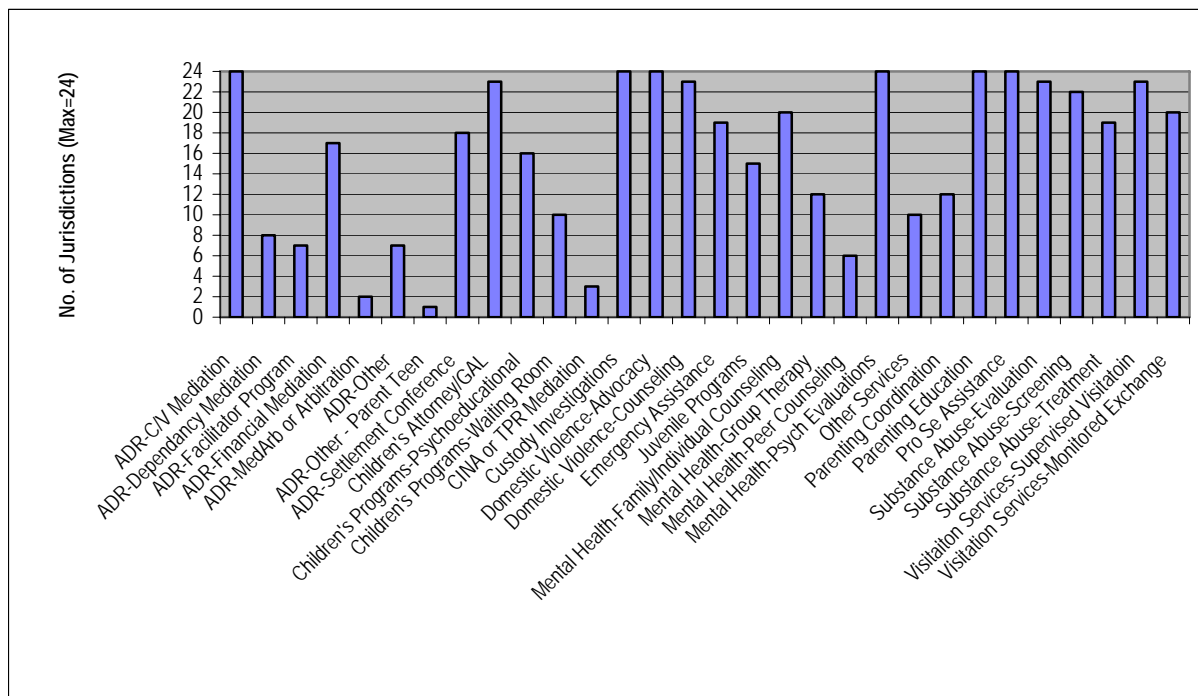


Figure 2. Number of Maryland Jurisdictions Offering Specific Family Support Services, Fiscal Year 2005

Types of Services

ALTERNATIVE DISPUTE RESOLUTION

These services encourage parties to settle their dispute in a manner other than by going to trial.

- Child Access Mediation*
- Marital Property Mediation*
- Volunteer Settlement Panels*
- Facilitation*
- Dependency Mediation*
- Parent-Teen Mediation*
- Pre-trial Conferences*
- Parent Coordination*

EVALUATIVE SERVICES

These programs provide the court with information it needs to make a decision that is in a child's best interest, or that is best for that family.

- Home Studies*
- Custody Evaluations*
- Mental Health and Psychological Evaluations*
- Substance Abuse Assessments*
- Visitation Reports*

EDUCATIONAL AND THERAPEUTIC SERVICES

These programs educate the parties, help parents remain child-focused, and ease the family's transition.

- Co-parenting Education*
- Psycho-educational Programs for Children*
- Individual, Group and Family Therapy*
- Abuser Intervention Programs*
- Substance Abuse Treatment*
- Drug Courts*
- Truancy Court*

SAFETY AND PROTECTION SERVICES

These resources are designed to ensure the safety of adults and children.

- Emergency Mediation and Crisis Intervention*
- Domestic Violence Safety Planning and Coordination*
- Visitation Services*

LEGAL SERVICES

These programs ensure access to the justice system for those of limited means, and those at risk.

- Family Law Self-Help Centers*
- Domestic Relations Forms*
- Domestic Violence Advocacy*
- CASA Programs*
- Web Sites, Publications, Videos*

Promoting Parents as Primary Decision-makers

Child Access Mediation

Courts promote parents as primary decision-makers by providing them the opportunity to resolve cases without litigation. Mediation permits parents the chance to recognize and place their child's needs first.

When a custody or visitation case goes to trial, the relationship between former spouses is further eroded, positions are polarized, and it becomes less likely that those parents will be able to cooperate in the future to make child-rearing decisions. Neighbors and extended family are called in to testify against the opposing party, further destroying the parties' support networks. Alternative dispute resolution helps preserve relationships where possible and promotes child-focused decision-making

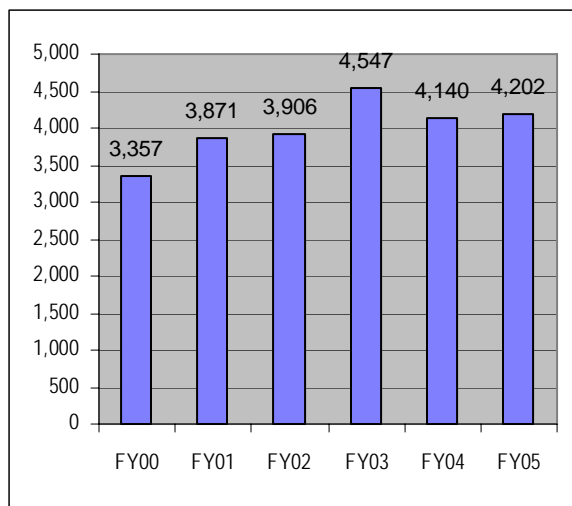


Figure 3. Referrals to Child Access Mediation – FY00 – FY05

Helping Parents Remain Child-Focused in Their Decision-Making

Co-Parenting Education

All Maryland jurisdictions offer some form of co-parenting education. Maryland Rule 9-204 prescribes the content and length of the course, which can be up to two sessions for a total of six hours of instruction.

Several courts now offer additional, specialized co-parenting courses targeted to address the needs of specific populations. In Baltimore City, where many child access cases involve parents who have never been married and who never resided together, the court offers a program

called “SHAPE” or “Shared Parenting Education” specifically to help parents who have never had a close relationship develop the skills to work together as parents. Of 859 custody, visitation and child support cases reviewed by the Family Division Administrator in Baltimore City during Fiscal Year 2005, 62% involved parents who had never been married.

More recently, the Circuit Court for Baltimore City has begun to develop a course for relative caregivers and other third-party custodians. During the last fiscal year, 20% of custody cases involved parties other than the parents of the child in that court.⁴

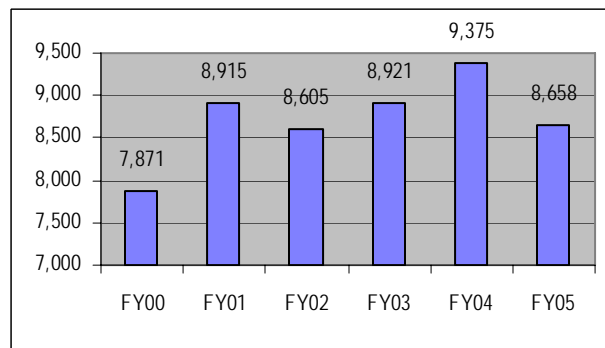


Figure 4. Referrals to Co-parenting Education – FY00 – FY05

Who Benefits from Co-Parenting Education? When parents participate in co-parenting education, they are asked to complete a demographic questionnaire. This data provides some picture of the individuals involved in contested child access cases.

This information is used to assist the courts in designing co-parenting curricula and in targeting written materials and other resources to ensure they meet the needs of the court's customers.

Successful co-parenting education includes a unit explaining the role and benefits of mediation, and preparing parents to participate effectively in alternative dispute resolution sessions. In some courses, local attorneys, judges, mediators or other court professionals visit the class to explain more about the process.

⁴ Circuit Court for Baltimore City, *id.*, p. 18.

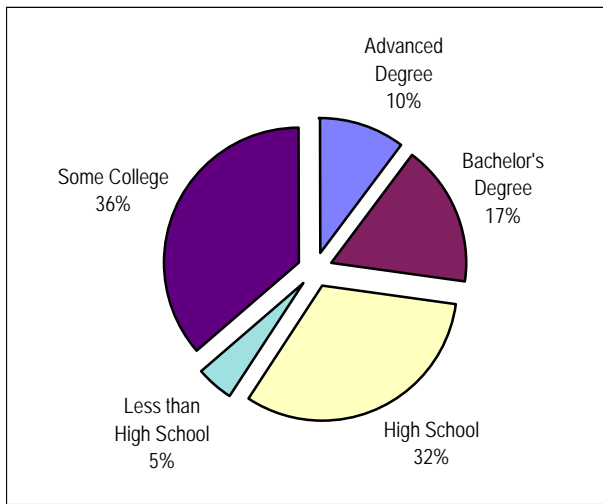


Figure 5. Education Levels of Co-Parenting Participants – FY05

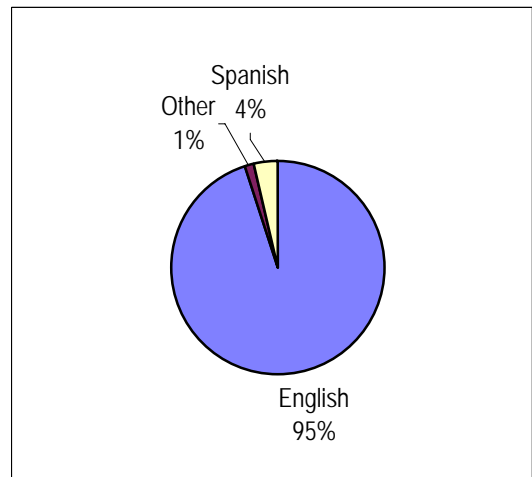


Figure 8. Primary Language of Co-Parenting Participants – FY05

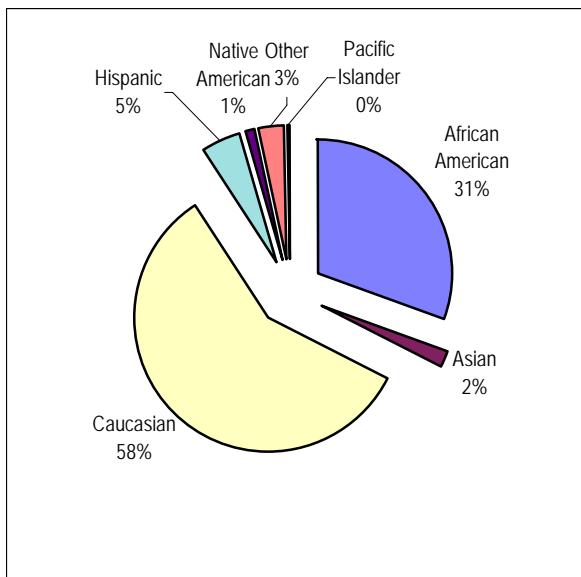


Figure 6. Self-Identified Ethnicity of Co-Parenting Participants – FY05

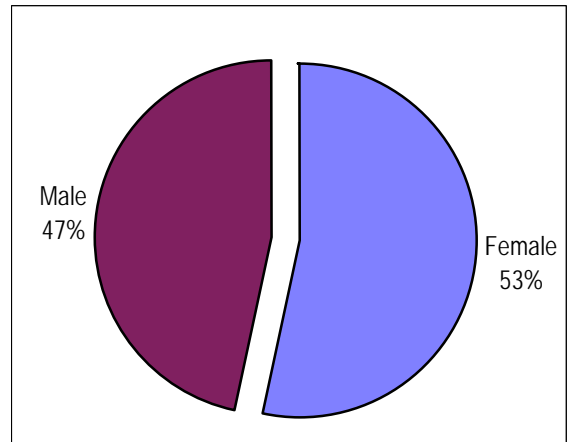


Figure 9. Gender of Co-Parenting Participants – FY05

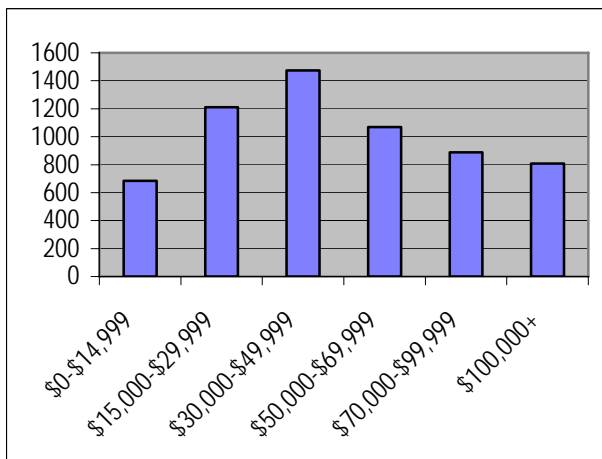


Figure 7. Household Income of Co-Parenting Participants – FY05

Access to the Family Justice System

Help for the Self-Represented

No system of justice is effective unless the persons it was designed to benefit can have effective access to that system. Maryland Circuit Court Family Divisions and Family Services Programs have made a strong commitment to serve all Maryland residents without regard to representational status.

Many individuals find it difficult or impossible to afford counsel in family cases. When a marriage dissolves, the family is compelled to support two households on the same income that once supported one.

The Maryland Judiciary provides a broad spectrum of resources to aid those who must proceed without benefit of counsel.

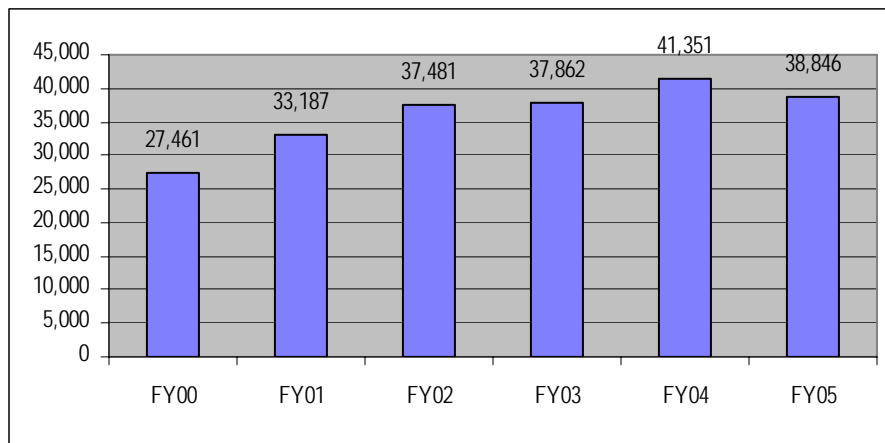


Figure 10. Individuals Assisted by Family Law Self-Help Centers – FY00-FY05

Family Law Self-Help Centers. These free walk-in legal clinics provide forms, information and procedural assistance to self-represented persons. Every Circuit Court in Maryland operates a family law self-help center. Attorneys interview litigants to determine whether their case is appropriate for self-representation, assist them in completing forms, and in planning for the next steps of their litigation. Referrals for more in-depth legal assistance are made where the party is in need of full representations.

These programs are in extremely high demand. In Fiscal Year 2005, family law self-help centers served 38,846 individuals.

The Judiciary adopted a new resource document to guide courts in managing effective self-help programs. *Best Practices for Programs to Assist Self-Represented Litigants in Family Law Matters* was developed by Maryland court professionals and self-help providers and adopted during Fiscal Year 2005 by the Maryland Conference of Circuit Judges. The document paints a picture of what a good self-help program looks like and recommends promising practices for Maryland courts.

During the Fall of 2005, self-help providers were also offered training on how to screen cases for family violence issues. Self-help providers can play a critical role in helping victims let the court know when family violence is an issue and when, as a result, mediation or other forms of ADR may be inappropriate.

Domestic Relations Forms. The Maryland Judiciary maintains a large body of forms for use by self-represented litigants in domestic cases. Forms are available in fillable-field PDF format through the Judiciary's website for use in divorce, custody, visitation, child support, name changes and domestic violence cases.

The forms are also available online in a bilingual Spanish-English format. Spanish speakers can complete the bilingual form and submit it directly to the court. Complete instructions are available in Spanish.

Legal Forms Helpline. The Department of Family Administration supports a statewide legal forms hotline to aid individuals in completing and filing the domestic relations forms. The Legal Forms Helpline is operated by the Women's Law Center of Maryland under a Special Project Grant from the Department of Family Administration. The Helpline also offers services in Spanish one half-day per week.

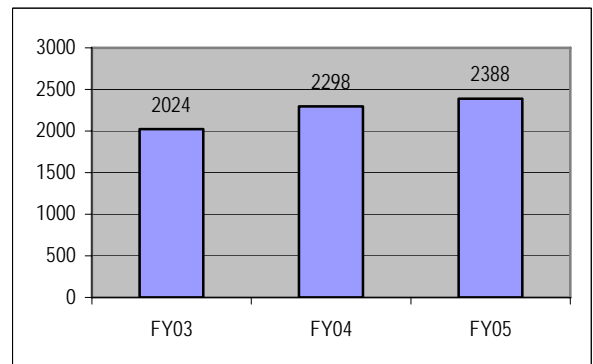


Figure 11. Legal Forms Helpline Intakes – FY03-FY05

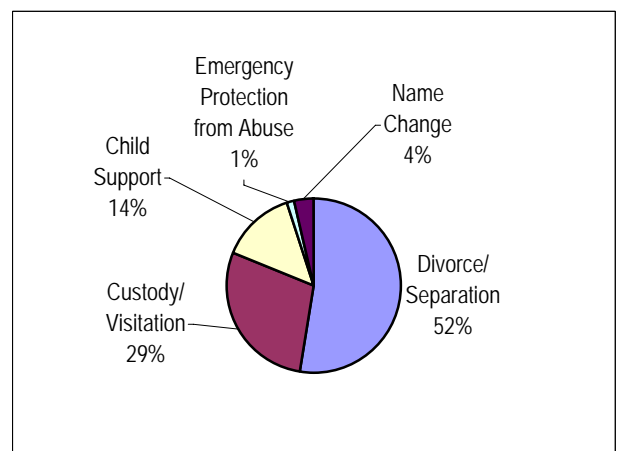


Figure 12. Legal Forms Helpline – Case Types – FY05

Understanding Families to Enhance Decision-making

Custody Evaluations

All Maryland Circuit Courts have a mechanism for providing home studies or custody evaluations. In some instances the court maintains social workers on staff to provide this service. In some jurisdictions the service is provided for a fee by the local department of social services, or another private provider.

Evaluations can range from simple home visits with a report on the conditions in the home, to an in-depth assessment of the parents' relative parenting abilities based on interviews with the parties, observations of the child with each parent in the home, interviews with collateral witnesses, and a review of pertinent education, medical and other records.

The Department of Family Administration provides occasional opportunities for the court's custody and mental health evaluators to enhance their skills and obtain continuing education credits necessary to maintain their professional licensing. In March, 2005, forensic evaluators participated in a **seminar about the benefits of actuarial- based risk assessment tools**. The seminar, held in Annapolis, featured Dr. Kathryn Seifert, founder and executive director of Eastern Shore Psychological Services.

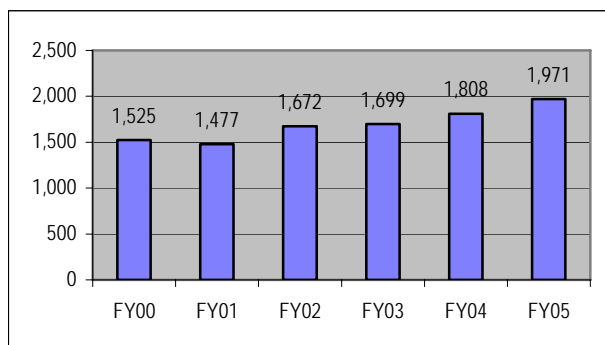


Figure 13. Cases Referred for Custody Evaluations – FY00 – FY05

Mental Health Evaluations

When serious mental health issues have been identified, a court may need an evaluation of an individual or family members before making child access decisions. All Maryland Circuit Courts have some mechanism for requesting an in-depth assessment of the mental health of a party or child.

In some jurisdictions, this services is provided by contractual psychiatrists or psychologists retained by the court. In most jurisdictions, however, this service is

provided by making a referral to one of several private providers identified by the court.

These types of evaluations are costly to provide. While not needed in all cases, they provide critical information to the court and the parties in those cases where mental health issues are raised. The parties are normally required to pay for these services, although the court makes fee waivers available to income eligible litigants.

In the last several years, courts have made fewer referrals for mental health evaluations as they have experimented with less costly ways to obtain the evaluative information they require.

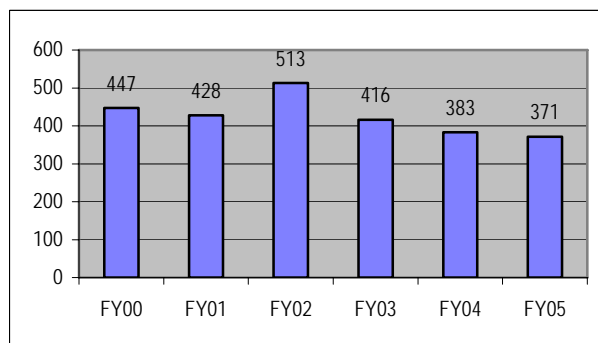


Figure 14. Cases Referred for Mental Health Evaluations – FY00-FY05

Substance Abuse Assessments

Many courts have devised ways to arrange for drug and alcohol testing where substance abuse has been alleged. In some jurisdictions, onsite, same-day urine testing can be done. This can improve the accuracy of reports and the speed with which they can be made available.

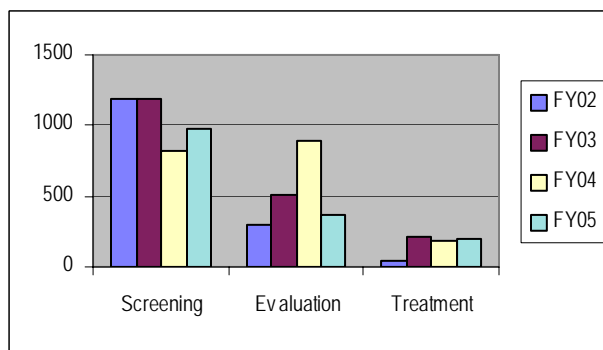


Figure 15. Substance Abuse Screenings, Evaluations and Treatment – FY02 – FY05

Promoting Healthy Parent-Child Relationships

Visitation Services

Visitation services promote family relationships and parent-child access while preserving the safety and security of family members. These services can become especially critical when there have been allegations of family violence or substance abuse. Without access to supervised visitation or monitored exchange, some parent-child relationships would be completely disrupted or limited unnecessarily.

Monitored Exchange Services provide a neutral setting for parents to drop off and exchange children before and after visits. By using a staffed, neutral site, parents can avoid contact, thereby minimizing the possibility of a hostile or violent confrontation. These services promote parent-child relationships and minimize the trauma to which children are sometimes exposed.

Supervised Visitation Centers provide a neutral setting where non-custodial parents can spend time with their children. Trained professionals, many of whom have a mental health background, staff these centers. A structured activity may be offered. In many cases, the visitation center will report to the court on whether the parties are participating and/or how the visits went. Supervised visitation services protect children while promoting their relationship with their parent.

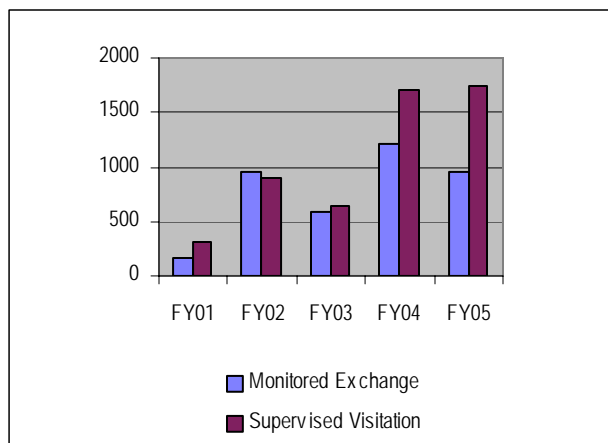


Figure 16. Cases Referred for Visitation Services – FY01-FY05

Programs to Support Non-Custodial Parents

Courts can support families and reduce post-judgment activity by facilitating stable relationships between non-custodial parents and their children. The Circuit Court for Worcester County has engaged in a fruitful partnership

with that county's Health Department to establish a countywide **Nurturing Fathers** program. Nurturing Fathers is a 10-week parent education program for non-custodial fathers who are not engaged in ongoing, consistent relationships with their children. The program provides fathers with experiences that allow new ways of thinking to change parenting attitudes and behaviors, and to aid them in establishing more nurturing, rewarding relationships with their children and co-parents. The program is supported by the court's Family Services Program as well as a Child Support Incentive Fund Grant made available through the Maryland Judiciary.

During Fiscal Year 2005, 60 fathers participated in and successfully completed the Nurturing Fathers program.⁵

Some other jurisdictions are able to make referrals to similar locally operated programs for non-custodial parents. In Queen Anne's County, the court refers non-custodial parents to a Nurturing Program operated by the local department of social services.

Helping Children Adjust to Changes in Their Family

Psycho-educational Programs for Children

A number of Circuit Court Family Divisions and Family Services Programs offer programs to aid children in coping with changes that are happening in their divorcing or separating families. These "psycho-educational" programs range from classes, which provide information, to more in-depth therapeutic groups which meet for several weeks and which provide children an opportunity to express and process what is going on in their lives.

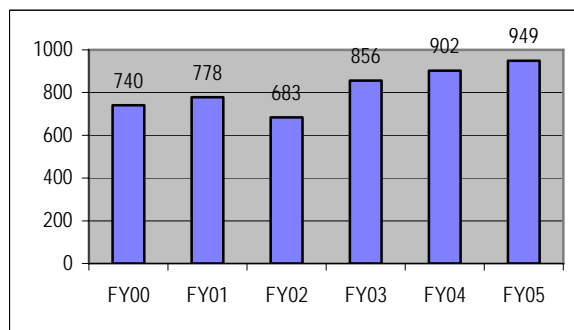


Figure 17. Cases Including a Referral to Children's Psycho-educational Program, FY00-FY05

⁵ Circuit Court for Worcester County, *Annual Report on Family Support Services for the Circuit Court for Worcester County, Fiscal Year 2005*, October 15, 2005, p. 22.

Access to Justice

Under the leadership of Chief Judge Robert M. Bell, the Maryland Judiciary continues to make Access to Justice a cornerstone of the family justice system. Maryland has become a national leader in responding to the needs of the self-represented and has won acclaim for its comprehensive statewide response to the issue. The Judiciary's support of and collaboration with the legal services delivery system has enhanced access to the family justice system for thousands of Marylanders.

Standard 1.1 Equal Access

Maryland's family divisions ensure that court services are accessible equally to all litigants, regardless of race, ethnic background, religious affiliation or socio-economic status.

Highlights and Examples

The Maryland Judiciary promotes equal access to the family justice system in a variety of ways.

Maryland Circuit Courts operate a **statewide network of family law self-help centers**. These free walk-in legal clinics offer forms, advice and information to self-represented persons. Family law self-help centers served over 38,000 in Fiscal Year 2005.

The Maryland Judiciary provides a large volume of **Domestic Relations Forms** to assist self-represented litigants in divorce, custody, visitation, child support, domestic violence and name change cases. The forms are provided through the Internet in fillable PDF. This permits users to download and print completed forms for filing. A simple, online interface assists users in identifying which forms they need.

The entire body of forms and instructions are also available in a **bilingual Spanish/English format**. Similarly, the entire family section of the Maryland Judiciary website has been translated into Spanish, providing Spanish-speakers with the same depth of information available to English speakers.

Through its Special Projects Grant program, the Department of Family Administration funds a **statewide Legal Forms Helpline**. The Helpline, operated by the Women's Law Center of Maryland, provides assistance with forms in English and Spanish. Attorneys answer the helpline and provide basic assistance with the forms and family law procedures upon request.

Maryland courts have adopted a number of strategies to assist non-English speakers and others who may need assistance in navigating the family justice system. Some courts are able to offer co-parenting education in Spanish. In Howard County, the National Family Resiliency Center, the court's contractual provider, offers their co-parenting course in Spanish.

The Circuit Court for Prince George's County has created a special **liaison for self-represented litigants and Hispanics**. They also employ two **Spanish-speaking** staff members in their Family Division Information and Referral Center.

The Maryland Judiciary provides **interpreters** in all court proceedings in civil and criminal cases for non-English speakers in any language. Anytime a court orders litigants to participate in some type of program or service, the Judiciary will likewise provide an interpreter for the program upon request.

Standard 1.2 Cost of Access

Maryland's Family Divisions must ensure that court services are accessible equally to all litigants, regardless of their ability to pay for the services, and supply certain core services.

Highlights and Examples

As a condition of accepting Family Division / Family Services Program grant funds, each jurisdiction agrees to provide a **fee waiver** for individuals that meet certain income-eligibility criteria. The income guidelines that have been adopted are those devised each year by the Maryland Legal Services Corporation. The guidelines are based on household size and household income and are tied to the Maryland median income and the federal poverty guidelines.

Some jurisdictions have extended the reach of this initiative by offering **partial fee waivers on a sliding scale** to individuals that would not qualify for a full fee waiver under the Judiciary-wide guidelines.

The use of a uniform fee waiver standard can have a disparate impact on the varying jurisdictions. Jurisdictions where the rate of individuals living in poverty is higher will have to use a higher percentage of grant funds to provide services for indigents.

During Fiscal Year 2005, for example, the Circuit Court for **Baltimore City** reported that **25% of divorce, custody, visitation and child support filings were accompanied by an order waiving the filing fee** (up from 22% in Fiscal Year 2005). This means that those individuals had petitioned for and were entitled to a fee waiver based on indigency. Poverty also brings with it issues that may complicate the handling of a family case. In Baltimore City, 86% of cases handled by the family division involved at least 1 self-represented litigant at the time of filing. Of 859 cases reviewed by Family Division staff, 62% involved parents who had never been married. The Circuit Court for Baltimore City has developed a specialized co-parenting course to aid never-married parents in raising their child collaboratively.

Each jurisdiction is asked to budget to cover the costs of services when the parties cannot pay. The court may still depend heavily on evaluative information, even though the parties may be unable to pay for it. Thus, to adequately adjudicate family matters, courts must often provide the service regardless of ability to pay.

Courts have experimented with different ways to ensure access to services regardless of ability to pay. For example, the Circuit Court for Prince George's County maintains an **in-house mediator** who provides emergency referrals and provides mediation when fees have been waived due to indigency.

The Circuit Court for Baltimore City has also developed an **in-house mediation program**. Many Baltimore City residents were unable to travel to Sheppard Pratt for mediation services because of financial or transportation constraints. Those same individuals are often unable to pay the fee normally required for mediation. Under the new program, trained volunteer mediators meet with indigent parties after a court proceeding to aid them in resolving outstanding issues. Although the program is available only 9 hours per week, during Fiscal Year 2005, program mediators handled 82 cases. Of those, 41% resulted in a full settlement; and additional 10% resulted in a partial or temporary settlement.

In a contested custody case, the appointment of child counsel or a *guardian ad litem* can aid the court in understanding what a child wants, or what is in that child's best interest. Unfortunately, child counsel can be costly and courts are reluctant to appoint them unless the parties have the resources to pay for such services. The Circuit Court for Baltimore City has worked with the Maryland Volunteer Lawyers Service (MVLS) for the last three years to provide **free guardians ad litem** in such cases. MVLS secured grant funding to launch the program.

Many family support services coordinators are playing a role in the **local pro bono planning committees** that have been established in each jurisdiction. They are working to identify ways the courts can enhance access to the family justice system by harnessing the energies of attorneys seeking to do *pro bono* work.

The Department of Family Administration continues to be responsible for managing the State's **pro bono reporting process**. Maryland's 31,000 attorneys are required to report on their *pro bono* activities each calendar year. The Administrative Office of the Courts works with the Standing Committee on Pro Bono Legal Services to promote *pro bono* activity among the Maryland Bar, to increase access to justice for Maryland's poor.

Finally, the Department of Family Administration makes Special Project Grants available to a number of legal services programs to enhance access to representation and a range of legal services for litigants in family case types.

Standard 1.3 Safety, Accessibility and Convenience

Maryland's Family Divisions aspire to ensure that court facilities are safe, accessible, and convenient to use, and they aspire to develop a strategic plan to implement this standard by working with domestic violence advocacy groups and local governments, among others.

Highlights and Examples

Maryland courts continue to offer key services during evening and weekend hours to make it easier and convenient to take advantage of court-based services. Most courts offer their **co-parenting education** and **psycho-educational programs for children** after hours and on weekends. Some programs are offered at **community sites** convenient for families.

During Fiscal Year 2005, for example, the Circuit Court for Queen Anne's County outfitted a **legal information outreach site** at the local county library. By providing computer equipment, printers and written information about the family justice system, the court was able to expand access to legal information and will also be able to use the library as a **site for to provide family law self-help program services during evening hours**.

Many other courts have made public-access computers available to permit users to look up case information and to access online resources including the domestic relations forms.

Visitation services are offered typically weekday evenings and on weekends to accommodate family visitation schedules.

Many jurisdictions have furnished and maintain **child waiting areas** within the courthouse, to make coming to court easier for parents with children. The Circuit Court for Baltimore City continues to offer a **staffed child waiting area** at Courthouse East where parents can leave their children while they are at the Family Division. Non-staffed waiting areas are outfitted at the court's Juvenile Justice Center a few blocks away.

Some jurisdictions have to overcome significant transportation or geographic obstacles in order to deliver convenient and accessible services. The Circuit Court for Baltimore County has made significant strides to better serve residents of both the western and eastern sections of the county. During Fiscal Year 2005, that court **expanded both its juvenile drug court and its visitation centers to additional locations**. The juvenile drug court began hearing cases in a District Court location convenient for eastern residents of the county. In October, 2004, the court opened a second Visitation Center at the Eastern Family Resources Center in Essex.

In St. Mary's County, the local county government provided funding to **train staff from the Office of the Clerk and other courthouse staff on CPR and the use of an emergency defibrillator**. Red Cross certified trainers from the rescue squad provided the training. An emergency defibrillator is located in a visible location within the courthouse.

Enhancing Access to Justice for Victims of Violence and the Under-represented

The Department of Family Administration continues to enhance access to the family justice system through Special Projects Grants. These funds are awarded for a broad range of projects that enhance access to the family justice system. A large number of these grants are given to organizations providing safety planning and legal representation to victims of domestic violence. A list of projects receiving Special Project Grant funds in Fiscal Year 2005 is provided.

Special Project Grants

The following Special Project Grants were awarded in Fiscal Year 2005 to support Maryland's family justice system.

GRANTEE/project

DVSARC(DOVE CENTER)/legal advocacy initiative

FOR ALL SEASONS/family visitation center expansion

HOUSE OF RUTH / protective order advocacy representation project – baltimore city district court

HOUSE OF RUTH / protective order advocacy representation project – prince george's circuit and district courts

HOUSE OF RUTH / protective order advocacy representation project – montgomery county circuit court

LAW FOUNDATION OF PRINCE GEORGE'S COUNTY / latino legal access project

LIFE CRISIS CENTER / all about children

LIFE CRISIS CENTER / domestic violence legal services program

MARYLAND COALITION AGAINST SEXUAL ASSAULT / child sexual abuse project

MARYLAND LEGAL SERVICES CORP. / contested custody representation project

MARYLAND VOLUNTEER LAWYERS SERVICE / safenet

MARYLAND VOLUNTEER LAWYERS SERVICE / washington county domestic violence legal services

MARYLAND VOLUNTEER LAWYERS SERVICE / domestic violence expansion project

SOMERSET CO. DEPT. OF SOCIAL SERVICES / somerset co. child advocacy center

SOUTHERN MD CTR FOR FAMILY ADOVOCACY / domestic violence legal services program

UNIVERSITY OF BALTIMORE, SCHOOL OF LAW, CFCC / substance abuse & addiction conference

WOMEN'S LAW CTR / protective order advocacy representation project – baltimore city

WOMEN'S LAW CTR / protective order advocacy representation project – baltimore county

WOMEN'S LAW CTR / protective order advocacy representation project – carroll county

WOMEN'S LAW CTR / legal forms helpline

WORCESTER CO. HEALTH DEPARTMENT / nurturing fathers program

YWCA OF ANNAPOLIS AND ANNE ARUNDEL CO. / domestic violence legal services program

CIRCUIT COURT FOR BALTIMORE CITY / juvenile drug court incentive program

CIRCUIT COURT FOR WICOMICO COUNTY / truancy reduction pilot program

Expedition and Timeliness

The Maryland Judiciary pursues excellence in the timely management of family cases by evaluating court performance in light of statewide time standards. Family Divisions and Family Services Programs are continually evaluating how well their case management systems work to ensure the timely resolution of family case types.

Standard 2.1 Case Management System

In order to provide for the fair, reasonable and expeditious resolution of all issues arising in family legal matters, Maryland's Family Divisions manage and operate a case management system that compels timely discovery and fruitful settlement negotiations with a view toward limiting the issues requiring trial.

Family Matters Comprise Nearly One-Half the Circuit Court Caseload

Nearly one-half of all cases filed in the Maryland Circuit Courts are within the jurisdiction of the Family Divisions. The bulk of cases occupying the time of judges, masters and court staff are those with the most complex issues – child access, family violence, delinquency, child abuse and neglect. As aforementioned, courts have noted an increase in the percentage of family case types coming before them in a contested posture.

It is essential that the State of Maryland dedicate sufficient resources to ensure that the court can manage these complex cases effectively, and reach decisions that promote family health and stability. During the one-year period from July 1, 2004 through June 30, 2005, Maryland Circuit Courts initiated or opened 125,991 family cases. This represented 63% of all civil legal matters and 45% of the total Circuit Court caseload.

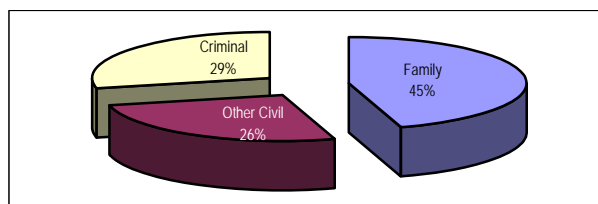


Figure 18. Family Caseload as a Percentage of Overall Circuit Court Caseload – FY05

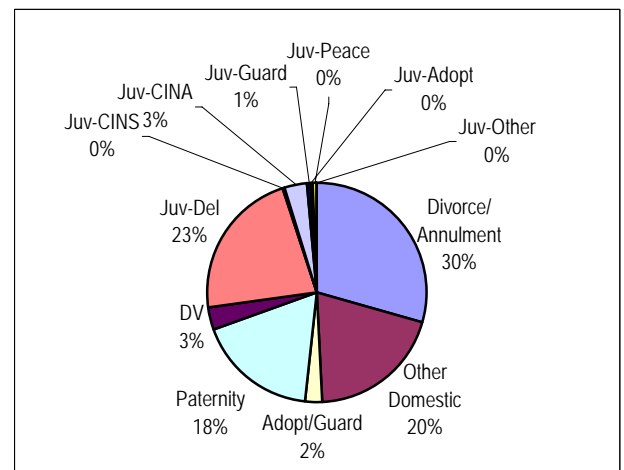


Figure 19. Family Case Types Heard by Maryland Circuit Courts – FY05

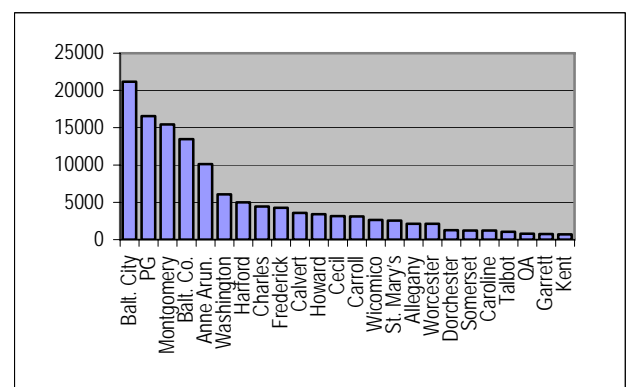


Figure 20. Relative Family Caseload by Jurisdiction

Table 1. Total Family Cases Filed or Reopened in Fiscal Year 2005

Jurisdiction	Divorce/ Annul	Other Domestic	Adopt/ Guard	Paternity	DV	Juv-Del	Juv- CINS	Juv- CINA	Juv- Guard	Juv- Adopt	Juv- Peace	Juv- Other	Total
Allegany	595	762	38	388	13	265	8	52	8	0	0	0	2129
Anne Arundel	3717	2094	342	1080	360	2335	8	126	23	1	15	2	10103
Baltimore	4078	3213	263	1155	536	3647	1	412	56	33	94	1	13489
Baltimore City	3203	1820	180	5933	248	6762	181	1929	381	303	235	9	21184
Calvert	823	849	28	1108	61	625	0	23	7	7	26	0	3557
Caroline	269	353	4	270	75	174	1	35	2	2	0	0	1185
Carroll	865	576	74	140	383	928	37	31	3	0	52	8	3097
Cecil	767	1258	38	504	151	363	1	58	10	7	0	0	3157
Charles	1068	926	34	783	303	1234	0	46	14	11	0	0	4419
Dorchester	236	382	1	350	49	193	0	20	6	4	0	0	1241
Frederick	1331	1201	62	634	74	785	12	79	34	21	22	1	4256
Garrett	193	288	15	107	14	47	2	37	1	5	1	0	710
Harford	1526	1428	69	839	264	703	0	115	29	28	9	0	5010
Howard	1240	661	51	312	162	875	0	57	19	0	3	1	3381
Kent	163	184	5	166	38	119	1	3	4	0	0	0	683
Montgomery	6270	1026	1695	1480	643	3861	0	353	33	31	58	0	15450
Prince George's	7332	2944	112	3122	485	2266	0	222	38	49	0	3	16573
Queen Anne's	236	183	5	119	4	187	0	15	4	4	0	1	758
Somerset	177	390	11	479	60	71	1	28	3	0	5	0	1225
St. Mary's	632	664	31	579	116	475	0	44	2	5	0	3	2551
Talbot	270	264	9	165	18	273	0	31	7	3	0	0	1040
Washington	1108	2264	28	1166	39	1098	2	304	36	21	13	1	6080
Wicomico	603	660	30	655	52	535	0	39	14	14	20	1	2623
Worcester	326	554	16	883	18	247	1	28	17	0	0	0	2090
Total	37028	24944	3141	22417	4166	28068	256	4087	751	549	553	31	125991

Highlights and Examples

During Fiscal Year 2005, Circuit Courts continued to monitor their compliance with **time-to-disposition standards** for a variety of case types. Courts continued to refine family case management practices to improve their ability to comply with those standards and to enhance the timeliness with which family matters are resolved.

Many jurisdictions set a **scheduling conference** early in the pendency of the case, to initiate critical services and evaluations, and to ensure the matter proceeds quickly towards resolution.

A number of jurisdictions have been **reviewing cases with little or no activity** to determine what steps can be taken to close or expedite those matters. For example, the Circuit Court for Prince George's County recently reviewed all family cases filed within the last several

years to determine whether there was a failure of service or other obstacle to case closure. Appropriate cases were referred for a dismissal for lack of jurisdiction or lack of prosecution.

That court has also initiated a **writ review project**. Family Division staff are currently reviewing all outstanding body attachments issued in family cases, to reduce the number of writs that remain outstanding.

Permanency planning liaisons regularly review CINA, TPR and adoption cases to ensure those cases are processed in a timely fashion, and in accordance with state and federal timelines.

Finally, a number of Circuit Courts convene **local juvenile task forces**. These committees provide an opportunity for a wide range of stakeholders to coordinate their efforts in better managing and serving youth alleged to have committed a delinquent act.

Standard 2.2 Protection of Victims of Domestic Violence

The practices and procedures of Maryland's Family Divisions maximize protection efforts for victims of domestic violence by ensuring access to the courts, coordination of other family matters with domestic violence proceedings, and by securing a comprehensive understanding of individual and family history relative to violent conduct. The Family Divisions conduct adequate, independent screening and identify important family needs via an established domestic violence protocol. Maryland's family divisions endeavor to hear all *ex parte* petitions for relief from domestic violence as soon as possible after the alleged victim's entry into the court facility.

Access to the Protection the Law Provides

Protective Order Advocacy and Representation Projects (POARP) and Related Programs

To enhance the safety of victims of family violence, Maryland's Circuit Court Family Divisions and Family Services Programs take extraordinary measures to ensure those victims can access the legal system to obtain protection.

All Maryland Circuit Courts refer victims to programs where they can receive assistance in developing a safety plan, legal advice, information and representation in a protective order hearing. All Circuit Courts also make referrals for abuser intervention programs and other treatment alternatives to address violent behavior.

There can be many obstacles impeding a victim's ability to seek protection – the victim may be subject to the control of the abuser, forbidden to leave the house or watched constantly. Phone calls or access to a family vehicle may be restricted.

To eliminate as many obstacles as possible, a number of Circuit Courts provide on-site legal services programs for victims in the courthouse. Through Special Project Grants, the Department of Family Administration has extended the network of these Protective Order Advocacy and Representation Projects. Operated by local domestic violence advocacy organizations, those programs have become a cornerstone of the safety net provided for victims through the Maryland Circuit Courts. Victims can meet with a paralegal or attorney, discuss the steps necessary to ensure their safety, obtain assistance in applying for a temporary protective order, and obtain representation at a subsequent protective order hearing – all without leaving the courthouse.

In October, 2004, the Department of Family Administration was able to expand the POARP model to Carroll County. The Carroll County POARP program commenced with funding provided by a Violence Against Women Act (VAWA) STOP Grant, which was subgranted to the Women's Law Center of Maryland who operates the program.

The Administrative Office of the Courts applied for and was awarded another VAWA STOP Grant commencing October 1, 2005, to fund an **Hispanic Outreach component** for the Prince George's county POARP project. Bilingual staff will be hired to enhance the program's ability to serve Spanish-speaking and immigrant victims of domestic violence.

Quality of Service for Victims of Family Violence

The Department of Family Administration collects data from Special Project Grantees serving victims of family violence to ensure that these programs are adequately serving the persons for whom they are intended.

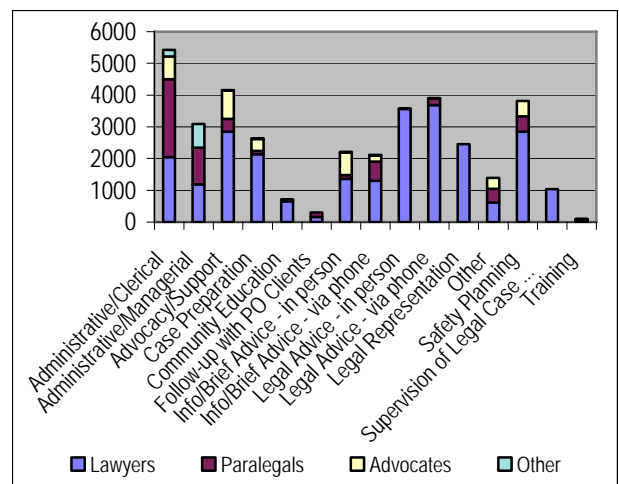


Figure 21. SPG Grantees Serving Victims of DV – Type of Services Provided – FY05

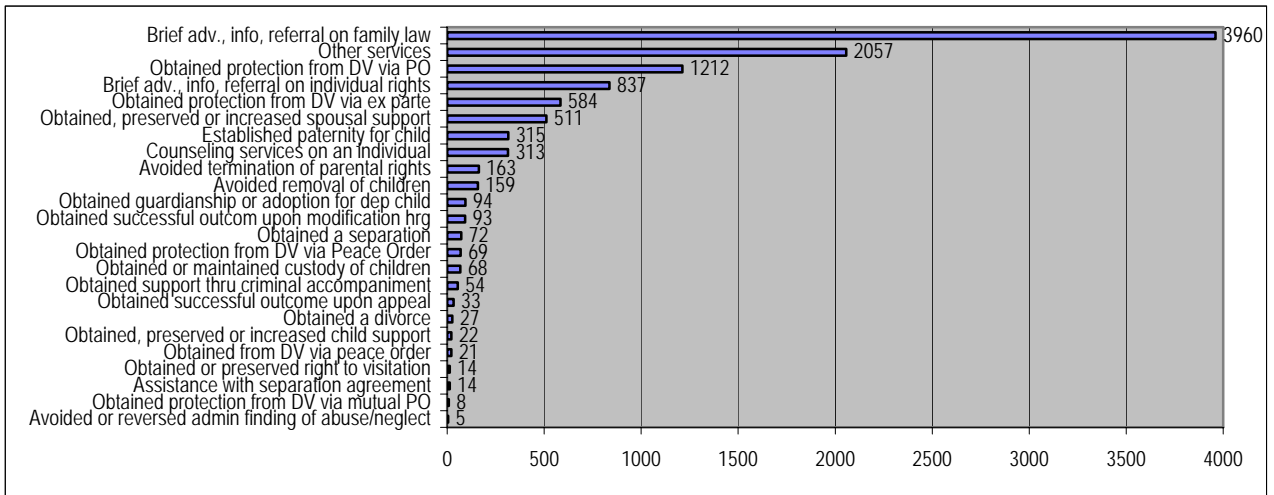


Figure 22. SPG Grantees Serving Victims of Domestic Violence – Major Benefit Achieved – FY05

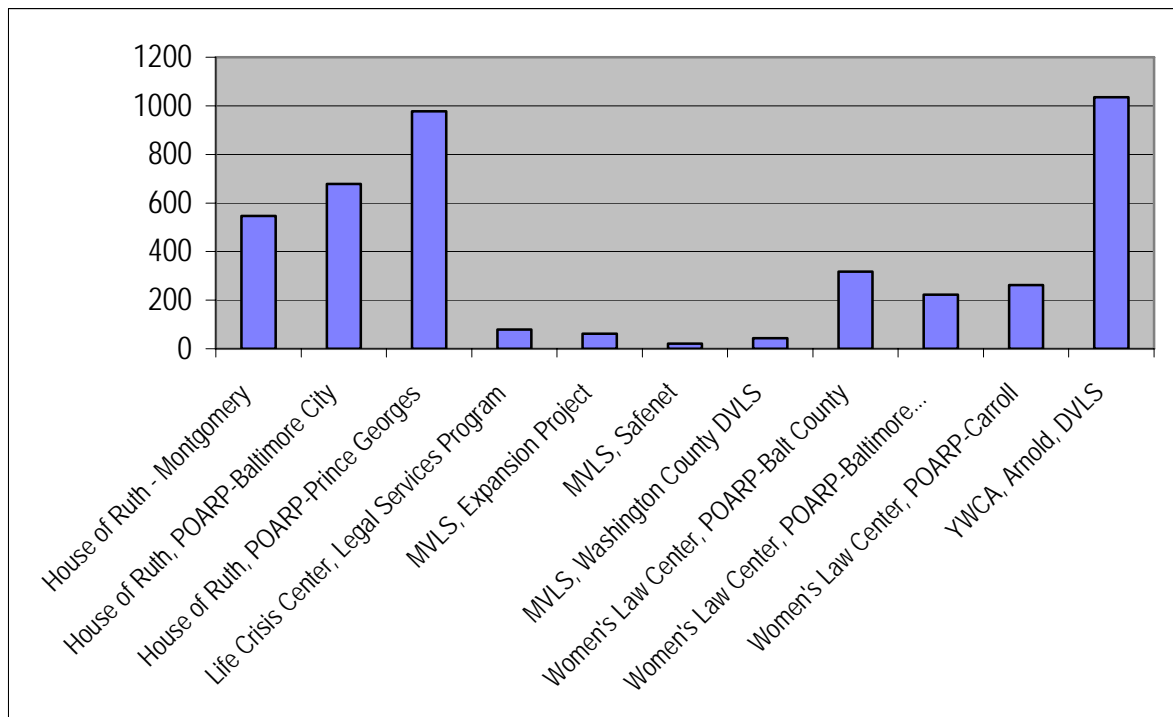


Figure 23. SPG Grantees Serving Victims of Domestic Violence – Cases Opened – FY05

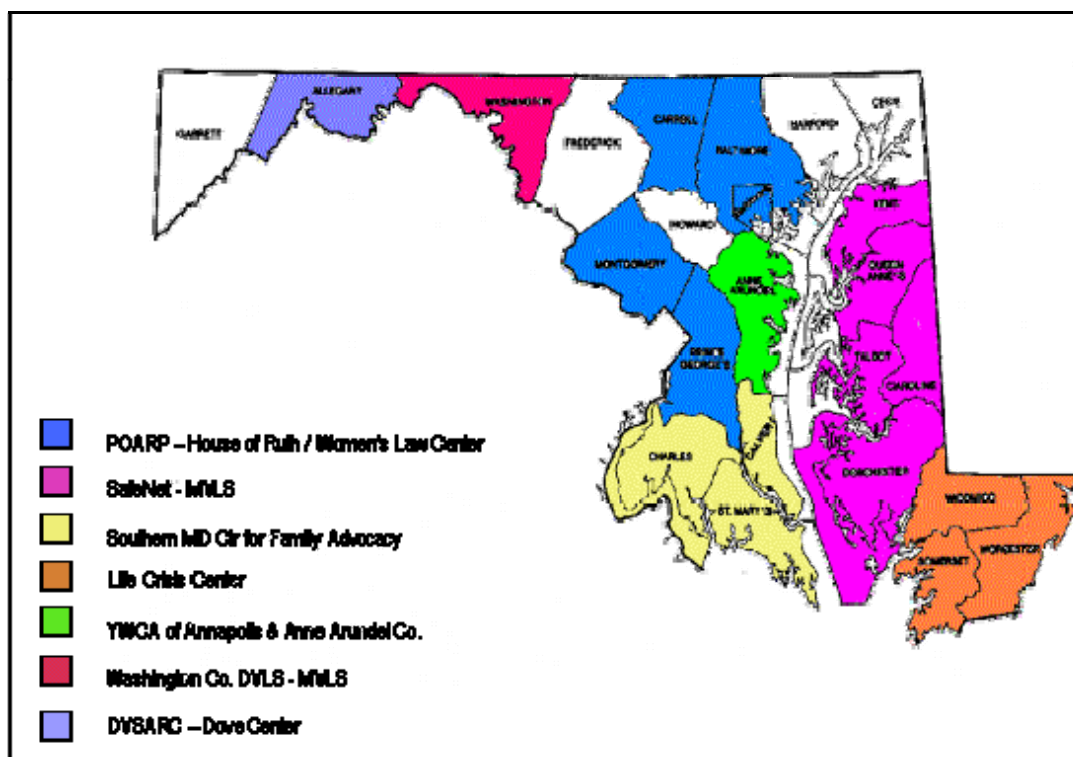


Figure 24. SPG Grantees Serving Victims of Domestic Violence

Family Violence and Mediation

The Administrative Office of the Courts, with a variety of stakeholders including domestic violence advocates and Maryland's Mediation and Conflict Resolution Office (MACRO), has developed a set of **screening protocols and tools** to aid courts in making more appropriate referrals for mediation. The document, entitled *Screening Cases for Family Violence Issues to Determine Suitability for Mediation and Other Forms of ADR: A Screening Protocol and Tools for Maryland Circuit Courts*, has been distributed to judges, masters, clerks, coordinators, court professionals, self-help providers and mediators, and is available on the Judiciary's website.

As Family Divisions and Family Services Programs expand the use of mediation, courts must become more sophisticated in the use of those programs. The tools aid courts in reviewing divorce, custody and visitation cases to determine if there are underlying family violence issues that may or may not be evident from the history of the case. The project was developed in response to concerns expressed by advocate organizations and members of the Maryland Network Against Domestic Violence that courts were not careful enough in referring cases to mediation. To promote the use of the new tools, the Department of Family Administration has been hosting a series of **six regional trainings** for court professionals, self-help providers and mediators.

In addition to the protocols and tools, the Department of Family Administration worked with a variety of advocates to identify and **promote clear policies about when mediation may not be appropriate**. Court of Appeals Chief Judge Robert M. Bell and then-District Court Chief Judge James Vaughn, communicated to courts that protective order cases themselves are inappropriate for mediation.

The Maryland Network Against Domestic Violence honored Chief Judge Bell in October, 2005, when he was given an award for his efforts to promote victim safety because of these initiatives. The members of the Domestic Violence Mediation Work Group were likewise honored with certificates of recognition.

Legislative Changes to Protect Victims

Two pieces of legislation passed or implemented during Fiscal Year 2005 will have a positive effect on the court's ability to protect victims of domestic violence. On October 1, 2004, new legislation took effect that permits the court in a divorce the authority to **transfer family use personal property**. Domestic violence advocates supported this provision, which may permit victims access to a vehicle or other essential items previously in the abuser's control or name. New legislation passed during the 2005 legislative session added **stalking** to the definition of abuse and permits courts to protect victims from stalking in the protective order.

Standard 2.3 Processing Child Dependency Matters

The Family Division has jurisdiction over child abuse and neglect procedures so the court will manage and operate a system of case management standards and procedures that is reflective of the Foster Care Court Improvement Project (FCCIP) recommendations published in 1997.

The Judiciary's efforts in serving the needs of child victims of abuse and neglect continues to be driven by the work of the Foster Care Court Improvement Project (FCCIP) Implementation Committee and its various subcommittees.

During Fiscal Year 2005, the FCCIP continued to meet and work on a variety of fronts towards reform efforts to improve the Judiciary's ability to respond to the needs of Children in Need of Assistance.

Implementation Committee

The Implementation Committee is the oversight committee of the FCCIP. The Honorable Patrick L. Woodward, Court of Special Appeals, chairs this committee; the Honorable Pamela L. North, Circuit Court for Anne Arundel County, serves as Vice-Chair. The Implementation Committee oversees and approves the work of the various subcommittees. It is responsible for expenditures of the Court Improvement Project grant the Judiciary receives from the federal government, and sets the vision for the FCCIP. Recently, the Implementation Committee has been directly implementing some of the tasks originally assigned to the TPR/Permanency Planning Subcommittee of the FCCIP. Because of the overlap in some of the recommendations and the overall efficiency of the FCCIP, it was decided that this particular subcommittee would be abolished and all recommendations be divided among the rest of the subcommittees.

The Implementation Committee is also responsible for overseeing the implementation of the Title IV-E and Child and Family Services Review (CFSR) court-related program improvement plan items. The Committee continues to improve the courts' processing of CINA cases. The following provides a brief description of two of the newest initiatives.

Model Court Programs

The FCCIP has initiated in Baltimore City and Charles County the development of Model Court Programs through the National Council of Juvenile and Family Court Judges (NCJFCJ). Lead judges in both jurisdictions have been identified and a preliminary site visit by NCJFCJ staff occurred in May, 2005. Teams from both the Model Court sites participated in an all-sites conference sponsored by the NCJFCJ in October,

2005. Both teams are actively developing work plans for their respective jurisdictions.

Dependency Mediation and Drug Court Programs

The FCCIP has awarded 14 jurisdictions small state grants to start and sustain dependency mediation programs. Juvenile courts have also been awarded grants to assist in newly developed dependency drug court programs.

The FCCIP will continue to request state funding to supplement the CIP grant and make needed improvements.

Re-assessment

The FCCIP contracted with the ABA Center on Children and the Law to conduct an evaluation of the FCCIP and to determine whether the efforts of the FCCIP have had an impact on the courts' processing of the child welfare cases. The evaluation was completed in July, 2004, and was forwarded to the ACF Regional Office in the Fall of 2004. In November, 2004, the FCCIP staff was advised that the ABA Evaluation met the requirements of the reassessment. It was recommended that the FCCIP proceed with deliberation of the ABA recommendations and address those recommendations in the Strategic Plan.

The various subcommittees reviewed the recommendations that fit under their purview and made recommendations to the Implementation Committee regarding the implementation and completion of the recommendations.

To supplement the findings and recommendations of the ABA Evaluation, the FCCIP recently completed judicial and legal workload assessments. The FCCIP staff worked with the National Council of Juvenile and Family Court Judges (NCJFCJ) Permanency Planning Department to modify the Court Performance and Workload Assessment Worksheets developed by the American Bar Association Center, the National Center for State Courts and the NCJFCJ. The worksheets, as well as the formula were derived using the specification in the ABA, NCSC, and NCJFCJ's publication, ***BUILDING A BETTER COURT: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases.***

Judges, masters, attorneys and clerks throughout the State completed the worksheets. The University of Maryland School of Social Work completed the analysis and is finalizing a report for the FCCIP.

A preliminary summary of the judicial workload assessment indicates that there is need for additional judges and masters in some of Maryland's juvenile courts.

Judiciary Involvement with the Title IV-E and Child and Family Services Review (CFSR) Process

Title IV-E Review

Each state is evaluated periodically by the federal government to determine whether it complies with Title IV-3 of the Social Security Act. To receive federal funding under the Act for children in foster care placements the state must be in substantial compliance. In a 2002 evaluation, the state was found to not be in substantial compliance. One reason for the finding was that court orders lacked required findings regarding efforts made by DSS to finalize children's permanency plans. As a part of the Program Improvement Plan (PIP), developed as a result of that evaluation, the FCCIP provided several resources to jurisdictions throughout the State (training, uniform court orders, etc.) in an effort to improve the courts' role in complying with federal law.

A secondary eligibility review of the State's Title IV-E foster care maintenance program was conducted from June 27 to July 1, 2005. Again, the purpose of the review was to determine Maryland's compliance with the child and provider eligibility requirements and validate the basis of the State's financial claims to determine whether appropriate foster care payments were made. A dramatic improvement was noted over the initial primary review. The courts' orders were especially highlighted. Timely reasonable efforts findings, child specific findings, and well-documented reasons supporting judicial determinations were areas in which the court was commended. The courts' improvement efforts along with those of the Maryland Department of Human Resources both contributed to a finding that Maryland is now in substantial compliance.

The FCCIP will continue to work with individual jurisdictions to assure that court findings throughout the State continue to meet Federal requirements.

CFSR Review

Maryland completed its on-site Child and Family Services Review in November 2003 and the final report was issued in June 2004. The FCCIP was involved in the following ways in the preparation of the on-site review and the development of the PIP:

- ❖ Sponsored two series of regional multi-disciplinary training meetings throughout the State to inform and educate all stakeholders about the requirements as well as to address practice issues that affect compliance;
- ❖ Worked closely with the Baltimore City DSS preparation team by sitting on the case review system subcommittee, arranging interviews for the judge, master, and attorneys during the on-site review;
- ❖ Worked with the lead judges and masters in the three site areas to educate them about the CFSR process. This included arranging a training program for them given by a DSS manager;
- ❖ Provided a session on the CFSR at the annual judicial conference;
- ❖ Participated on the State review team;
- ❖ Participated on the PIP Executive Committee, PIP Steering Committee and various subcommittees;
- ❖ Requested and received input from the courts on the development of the CFSR PIP.

The federal government in March, 2005, approved the CFSR PIP initiatives and the specific court related areas have been incorporated into the FCCIP strategic plan and will be an ongoing initiative of the FCCIP. The FCCIP staff continues to inform the courts and other stakeholders of its initiatives and progress through committee participation, memorandums, reports, summaries and Department of Family Administration newsletters. This includes updates on the Title IV-E and CFSR initiatives.

Regional Multi-disciplinary Training Meetings

During this fiscal year, the FCCIP staff organized six (6) regional multi-disciplinary training meetings. Approximately 400 people attended. The topics included updates on the CFSR and Title IV-E reviews, judicial determinations and court orders, and various best practices issues.

Legislative Subcommittee

Legislation

The Legislative Subcommittee, chaired by the Honorable Pamela L. North, Circuit Court for Anne Arundel County, orchestrated the submission of legislation that revised Maryland's TPR/Adoption statute. After five (5) years of meeting and revising this statute, it was submitted for the third time and was passed by the General Assembly during this past legislative session. The bill was signed by the Governor on May 26, 2005, and became effective January 1, 2006.

The separation of the statute into three (3) subtitles, DSS-Related TPR and Adoption Proceedings, Private Child Placement, Agency Guardianship and Adoption Proceedings, and Independent Adoptions Proceedings, will afford judges, masters, practitioners, and others the ability to look in one section and chronologically follow the legal process for the type of proceeding in which they are involved.

A workgroup from the Legislative Subcommittee developed training materials for all stakeholders on the new law. The judges, masters, attorneys and juvenile clerks were all trained on the new statute.

Representation Subcommittee

Training Programs

The Representation Subcommittee continues to be chaired by the Honorable Katherine P. Savage, Circuit Court for Montgomery County. The primary focus of the Representation Subcommittee has been ensuring that all counsel are adequately educated and trained.

The October, 2005, conference did not include a specific attorney training track, but rather offered a multi-disciplinary day of training on the first day of the conference. All attorneys were invited to attend and participate. Additionally, a second full day of training was held for attorneys on the new laws that were passed during the legislative session.

Appellate Issues

The Representation Subcommittee has been working on ensuring a better appellate process for the child welfare cases. The Subcommittee has been meeting with the Clerk of the Court of Special Appeals (CSA) to work out some administrative barriers that may be occurring. The FCCIP has hired a legal intern to work with the FCCIP and CSA in order to better ascertain where the problems may lie.

Standards of Representation

The Representation Subcommittee is drafting standards of Representation for agency counsel and parents' counsel. The subcommittee members are in the process of reviewing and revising national and other states' standards of representation.

As stated previously, these representation efforts and activities help provide for the safety, well-being, and permanence of children. It helps ensure that all parties are adequately represented, which includes counseling and advising them of the laws, assisting in getting their clients the necessary services and trying to ensure that time frames and adequate documentation of efforts are followed.

Statistics Subcommittee

Judge Woodward chairs the Statistics Oversight Subcommittee. Master Peter Tabatsko, Circuit Court in Carroll County, serves as the vice-chair. The Statistics Oversight Subcommittee continues to work on integrating the various database systems in Maryland in order to produce reliable child welfare data. The subcommittee has been working with Maryland's Judicial Council to establish case time standards for its dependency cases. In 2001, the Judiciary began implementation of Case Time Standards in certain case types for the Circuit and District Courts. The child welfare cases were not included. In 2004, the Judiciary expanded the case time standards initiative to include the child welfare cases. Data definitions have been developed and the first assessment of the child welfare data is scheduled to occur September, 2005, through November, 2005. A report is to be produced in December, 2005. This will assist the Judiciary and the FCCIP in overseeing and ensuring the timely processing of the child welfare cases.

Training Programs

Training programs for clerks and other court personnel have continued during this fiscal year. A third series of training programs occurred during the Fall of 2004. Training on the new child welfare legislation was offered to juvenile clerks in December, 2005.

Uniform Court Orders

As noted above, the use of the uniform court orders was on the agenda of the regional multi-disciplinary training meetings. The FCCIP staff discussed the judicial determinations and the proper use of the orders during those meetings.

The Statistics Oversight Subcommittee is also in the process of revising the uniform court orders. Upon approval the revised orders will be disseminated on diskette and published on the Judiciary website. The automation of court orders will assist the courts in completing orders in an expeditious manner, which ultimately assists in the timely processing of the cases leading to timely, permanent placements for children. The revised orders will also be color-coded to assist the courts in complying with state and federal laws.

Quality Assurance

The Statistics Oversight Subcommittee is currently developing an on-site review committee and protocol. This on-site review will assist the FCCIP in determining whether accurate information is being recorded and also enable the FCCIP and Judicial Information Systems staff to provide technical assistance to the end users of the database systems.

Training Subcommittee

Conferences

The Training Subcommittee sponsored its 8th Annual Child Abuse and Neglect Judicial Conference October 17-19, 2005 at the Rocky Gap Lodge and Resort in Flintstone, Maryland.

This year's conference attendees revisited a multi-disciplinary format summoning over 300 participants. The conference addressed many of the outstanding issues related to the Federal Child and Family Service Reviews (CFSR), and the subsequent Program Improvement Plan. Juvenile judges, masters, attorneys, state and local agency staff, Court Appointed Special Advocates (CASA) representatives, representatives from the Citizens' Review Board for Children, education, and mental health advocates were invited to the first day of the conference. Some of the featured topics included a mock trial of a permanency planning hearing, reasonable efforts findings, and new laws. A presentation was also made on the efforts of the FCCIP's Best Practices Workgroup, to develop a manual of best practices to address areas needing improvement identified in the FCCIP reassessment/evaluation, court related areas in the Child and Family Service Reviews (CFSR) and Program Improvement Plan (PIP). The manual will highlight best practices, policies, and procedures for Maryland Courts

and provide jurisdictions with an action plan to illustrate how to implement these model policies. The best practices currently identified include: One Judge, One Family; Early Identification of Parents - Parent Litany; Continuance Policy; Permanency Checklist for Ten to Sixteen Year-olds; and a Properly Conducted Hearings Checklist. The third day of the conference was again devoted to delinquency matters.

Judicial Institute Courses

The FCCIP annually sponsors training programs through Maryland's Judicial Institute. In April, 2004, a full day program focused on TPR, Guardianship Review Hearings and Adoptions. In March, 2005, a full day beginner's dependency training program was held. In October, 2002, the Chief Judge of the Court of Appeals issued an Administrative Order requiring new juvenile judges and masters to attend the Judicial Institute courses sponsored by the FCCIP.

FCCIP Strategic Plan

The FCCIP continues to utilize its strategic plan as its guide to accomplishing the many goals outlined. The strategic plan has been revised to incorporate the CFSR PIP, ABA recommendations, and the most recent Child Welfare Action Plan developed by Chief Judge Bell and a select team in September, 2005.

Standard 2.4 Resolution of Juvenile Delinquency Cases

All juvenile delinquency cases are resolved in a prompt and thorough manner within the Family Division, according to the Constitutions of the United States and the State of Maryland, statutory law, and precedent in order to protect society while applying the means necessary to adequately address the developmental needs of the child before the court.

Juvenile Law Subcommittee

The Juvenile Law Subcommittee of the Judicial Conference Committee on Family Law remains active, tracking and reviewing legislation that affects Maryland's juvenile justice system, providing policy guidance on juvenile issues and planning and hosting the "delinquency day" at Maryland's Child Abuse, Neglect & Delinquency Options (CANDO) Conference. The 2nd annual "delinquency day" was held in October, 2004, which featured mental health and substance abuse issues. The subcommittee secured a technical assistance grant from the Center for Sex Offender Management to provide a speaker for that event. The committee also planned and hosted "delinquency day" at the 2005 CANDO Conference. That agenda featured key speakers from the Department of Juvenile Services, including Secretary Kenneth Montague, as well as a researcher from the National Institutes of Health who provided a keynote address on adolescent brain development.

More recently the Juvenile Law Subcommittee has been collaborating with the Department of Health and Mental Hygiene to implement the **new juvenile competency bill** passed during the 2005 legislative session. Judges and masters attended a training session during Fall, 2005, on the new competency bill.

ASFA Compliance in Delinquency Matters

The Department of Family Administration undertook key initiatives during Fiscal Year 2005 and the beginning of Fiscal Year 2006 to improve the courts' ability to comply with the Adoption and Safe Families Act (ASFA) in handling delinquency matters. ASFA, enacted in 1997, amended federal foster care laws to emphasize child safety, permanency, and well-being. States who comply with these provisions are eligible for federal foster care matching funds.

There are many children involved in the juvenile justice system who have been or will be placed in foster care at some time, or who will at some point receive services through the child welfare system. States are eligible for federal foster care matching funds for delinquent youth in the foster care system. Because a child who has been

removed from the home in a delinquency case may someday end up in a foster home or child care institution, and because many of the findings required by ASFA must be made the first time a child is removed from the home, those findings must be made in a detention order or other court order as a part of the delinquency case. This ensures that the state can at some point receive federal foster care funds.

To aid the Department of Juvenile Services in accessing those funds, the Maryland Judiciary has developed a set of form orders for statewide use. The newly **revised delinquency orders** will help ensure that courts are making appropriate findings required under ASFA. The Judiciary also used the 2005 CANDO conference as an opportunity to **train judges and masters** in how to ensure they are following ASFA in handling delinquency matters. The newsletter of the Department of Family Administration, *Family Matters*, featured an article on the topic in the Summer, 2005, issue.

Ultimately Maryland youth will benefit from the provisions of ASFA, which encourage courts to scrutinize the efforts of both DSS and DJS to ensure the permanency, safety and well-being of all children.

Highlights and Examples

In addition to these efforts, local jurisdictions have adopted special initiatives to help improve the experience of Maryland youth in the juvenile justice system.

Baltimore's Juvenile Detention Alternative Initiative (JDAI)

Under the direction of juvenile judge-in-charge, Judge Martin P. Welch, the Circuit Court for Baltimore City has been pursuing a strategy to reduce the amount of time youth spend in detention. The partners in the city's Juvenile Detention Alternative Initiative (JDAI) have been pursuing several routes to achieve that goal. The project is a collaboration between the court, the Department of Juvenile Services, the State's Attorney's Office, the Office of the Public Defender, the local department of social services, and the Baltimore City Board of School Commissioners.

Under the auspices of JDAI, project partners have formed six work groups to, among other things:

- ❖ Reduce case processing time between arrest and disposition, to reduce the time youth can be detained;
- ❖ Identify early intervention strategies;
- ❖ Develop community-based early reporting centers and other alternatives to detention;
- ❖ Look at services more appropriate for young female offenders; and
- ❖ Ensure detention facilities meet national standards.

JDAI efforts resulted in 50 percent fewer youth detained in Baltimore City between January, 2004, and January, 2005.

A Picture of a Juvenile Drug Court

Thanks to the leadership of the Maryland Drug Treatment Court Commission and its staff, the Maryland Circuit Courts have been able to take advantage of federal training opportunities and technical assistance to plan and implement juvenile drug courts.

For example, the Circuit Court for Baltimore County was able to open a second site to hear juvenile drug court cases during Fiscal Year 2005. In addition to hearing cases in the Circuit Court location, the court also hears cases at the Essex District Court building.

The program is available to youth between the ages of 13 and 17 who have been charged with a crime, other than a violent crime or sexual offense. Candidates participate on a voluntary basis. The juvenile drug court program requires them to participate in frequent court proceedings, random drug tests and counseling, both individual and group.

In June, 2005, there were 39 juvenile drug court participants in the Baltimore County program. During Fiscal Year 2005, a range of services were provided to participating youth including:

- ❖ 332 individual counseling sessions;
- ❖ 1,316 face-to-face contacts between a drug court team member and the youth;
- ❖ 241 parent-to-team member contacts;
- ❖ 118 family counseling sessions;
- ❖ 197 adolescent group meetings;
- ❖ 558 individual review hearings with a 98% attendance rate;
- ❖ 1,371 urinalysis specimens collected with only 15% testing positive for drugs.⁶

The court has begun an evaluation of its juvenile drug court with the help of the University of Maryland's Bureau of Government Research. Over the coming year, the court hopes to gauge the impact of its juvenile drug court on participating adolescents.

Truancy Courts

Wicomico County Circuit Court began hearing its first cases as a part of the **Truancy Reduction Pilot Program** in January, 2005. A truancy court coordinator was hired and the local school board began filing petitions against parents and their children under the new legislation, which created the program. The legislation, House Bill 1443, enacted during the 2004 legislative session, creates legal options schools can pursue to keep children attending school. The program permits judges to identify and address the underlying causes of truancy and head off future problems for at-risk children and their families. The court has been working with the Local Management Board, the Office of the State's Attorney, and others to plan for and evaluate the impact of the program.

During Fiscal Year 2006, the program is being expanded to other 1st Circuit jurisdictions – Somerset, Worcester and Dorchester. The three-year pilot is in its second year. The Department of Family Administration has designed a database to aid the court in managing and evaluating the program.

In a similar vein, judges from the Circuit Court for Baltimore County have collaborated with the University of Baltimore, School of Law's Center on Families, Children and the Courts to establish a school-based program to address truancy issues. That program, which operates in two middle schools and two elementary schools in Baltimore, is a diversion program. Volunteer "judges," some of who are actual judges, and some of who are attorneys or other members of the community, hold an informal "hearing" at the school to discuss school attendance issues and come up with strategies to improve attendance for individual children.

Treatment Approaches

The Circuit Court for Carroll County has begun making referrals to a new program in the county. The **"Violent Acts"** program is designed to provide assessments and brief strategic family therapy for youth at risk due to exposure to adult violence or because child has exhibited violent acts. That court's family law administrator receives reports on participating children from the program provider.

⁶ Circuit Court for Baltimore County, *id.*, p. 13.

Standard 2.5 Coordination of Family Legal Issues

The Family Divisions assess and identify all court matters relating to the same family in a timely and expeditious manner. In doing so, the Family Divisions apply uniform criteria for determining the need to coordinate or consolidate those matters in order to refer all matters involving the same family to the same judge or to the same case management personnel or team.

A Team Approach

Each jurisdiction has assembled a team of professionals to serve the needs of families and children. Those individuals may include family support services coordinators, parent educators, mediators, mental health professionals, custody evaluators, juvenile court coordinators, permanency planning liaisons, domestic violence coordinators, masters and judges. Typically, each administrative judge appoints a **Family Division Judge-in-Charge** who provides guidance and direction for the court's Family Division. Most Family Divisions hold regular meetings where information can be exchanged and policies developed.

Improving Communication in Family Violence Cases

When the safety of family members is an issue, the coordination of information about those cases is especially important. To improve the ability of varying courts to communicate and coordinate their efforts in managing family violence cases, the Judiciary has undertaken an important information technology project. Judicial Information Systems (JIS) has continuing working towards the development of a **single, integrated, web-enabled centralized database of all domestic violence cases**.

The database includes an application, already in use by Circuit and District Courts with which judges are able to generate orders in the courtroom. The Domestic Violence Wizard, the application used to generate the orders, has improved the consistency and readability of domestic violence orders. The larger project will use the DV Wizard as the interface for a larger, integrated statewide database.

A small grant from the State Justice Institute permitted JIS to hire a systems architect to advance the project. The Department of Family Administration has provided additional funding, although the long-term funding necessary for project completion has not yet been identified. The Department of Family Administration is assisting JIS in pursuing federal grant funds to fund the completion of the project. When completed, the project will permit statewide access to domestic violence orders and case information for all courts. The project will improve inter-court coordination, prevent duplicate filings in multiple courts, and improve the courts' ability to coordinate with law enforcement to promote victim safety.

During Fiscal Year 2005, advances were made in the public inquiry portion of the program that will permit victims and law enforcement officers easy access to protective orders.

Equality, Fairness and Integrity

A judicial system derives its power from the consent of the people it serves. It can only win that consent if it dispenses justice in a manner that is, and that is perceived to be, equitable, fair and imbued with integrity. Maryland courts guard that trust by managing processes where all litigants, regardless of their position or representational status, can have a fair hearing. The courts also work with agency partners to improve the effectiveness and enforceability of court orders. Finally, Maryland Family Divisions work to ensure equitable treatment for those working within the justice system, including court professionals.

Standard 3.1 Integration of Related Family Matters

Family Division litigants have enhanced ability to comply when there is integration of related matters so that changes or conflicting orders are minimized. Moreover, *pro se* litigants are afforded a uniform intake process that includes a uniform mechanism for case reception and establishment.

Promoting Consistency of Practice

Uniform Orders

Maryland's Family Divisions promote consistency of practice by making available several bodies of uniform forms – for use by litigants, agency professionals and courts alike. The **Domestic Relations Forms** are uniform pleadings used by thousands of self-represented litigants each year. This large body of forms is distributed through a network of Family Law Self-Help Centers, where the self-represented can obtain assistance. Pleadings and other key forms are available for most family law case types.

To aid courts and agency partners in complying with various federal and state laws, the Department of Family Administration and its Foster Care Court Improvement Project have developed **uniform orders for use in CINA**

and delinquency matters. These orders have been distributed to all judges and masters, and are available on the Judiciary's website. The CINA orders have been incorporated into the state's case information system, UCS, so that orders can be automatically generated in the courtroom or in chambers. The delinquency orders, which were only recently approved by the Conference of Circuit Judges, is in the process of being incorporated into UCS.

A Joint Forms Committee of the Administrative Office of the Courts and the District Court, has developed and maintains a set of **uniform orders and forms for use in protective order cases.** These forms are likewise available online for use by litigants and their attorneys. Uniform orders are prepared through the District and Circuit Court case management systems and can be generated automatically in the courtroom in nearly all jurisdictions.

Sample case management orders, are also available for court use in the Judiciary's website.

Working Towards Statewide Integration of Domestic Violence Orders and Cases

As aforementioned, Judicial Information Systems has been working on a multi-year project to develop an **integrated, web-enabled statewide domestic violence database**. When completed, the project will provide access to court orders and information about pending and past domestic violence cases in any Maryland jurisdiction.

The new technical resource document, *Screening Cases for Family Violence Issues to Determine Suitability for Mediation and Other Forms of ADR: A Screening Protocol and Tools for Maryland Circuit Courts*, provides guidelines to ensure Maryland courts screen cases effectively for family violence issues. The recommended practices in that document will enhance the consistency with which family cases are handled and underlying issues of domestic violence are addressed. The document reiterates the need for courts to thoroughly review each case for any prior legal history of domestic violence to ensure better coordination of cases and sharing of appropriate information.

Standard 3.2 Fairness and Equality for Court Staff

The Family Division observes standards of fairness and equality for all staff of the court, including those who provide services to litigants in the Family Divisions.

Promoting Uniformity in a Decentralized System

While the Circuit Courts remain substantially locally funded, a number of significant segments of the family justice system have come under state control and responsibility. This has permitted the Judiciary to develop uniform positions, grades and salaries. Judges, elected clerks and their staff have long been State employees. Within the last four years, masters and law clerk positions have been assumed by the State. Uniform position descriptions, grade structures and salaries have been developed for those positions. While some masters remain county employees, the county is compensated at the standard rate for those positions and when those positions become vacant they become State positions.

Even when positions remain under local government control, Family Division/Family Services funding is leveraged to promote consistency. For example, a recommended job description and qualifications have been provided for family support services coordinators and permanency planning liaisons.

Improved Policies for State Employees of the Judiciary

The management of the Judiciary's Human Resources Department has been regularized over the last several years. Employee committees guide that department in the development of policies and practices to benefit employees and retain committed staff within the courts.

Providing An Even Chance

Fair Processes for Potential Contractual Providers

As a condition of accepting Family Division/Family Services Program grants, individual jurisdictions must agree to comply with local procurement practices to ensure that all contracts are bid fairly and equitably. Because most local governments have minority business enterprise (MBE) programs, this should mean that contracts are being awarded in a way that promotes the minority-owned businesses in the State.

During site visits, Family Administration staff regularly review local procurement practices to ensure compliance with the requirement. Grantees are also subject to periodic audits and management reviews to ensure their compliance with all grant requirements.

The Department of Family Administration follows the AOC's procurement practices that include an active MBE program.

Fair Practices in Awarding Grant Funds

The Department of Family Administration publishes Notices of Funding Availability for Special Project Grants in the *Maryland Register*, and distributes copies widely to a broad range of potential grantees. An internal committee reviews grant proposals. The Department of Family Administration is regularly subjected to internal as well as legislative audits. The Administrative Office of the Courts recently hired a grants administrator who is providing consulting assistance to the Department of Family Administration to aid us in improving our grant-making policies and practices.

Standard 3.3 Responsiveness to Child Support Issues

The Family Division responds to any court-focused child support initiatives from the Maryland legislature in a manner that facilitates an equal and fair response to all parties in child support issues.

Responding to Legislative Initiatives

Child Support Subcommittee

The **Child Support Subcommittee of the Judicial Conference Committee on Family Law** reviews pending legislation and considers legislative reform and policies that will improve the Judiciary's ability to ensure that children receive the financial support they need. In Fiscal Year 2005, the Honorable Julia Weatherly, Circuit Court for Prince George's County, chaired this subcommittee.

During Fiscal Year 2005, the subcommittee also reviewed and approved changes to the **Earnings Withholding Order** to ensure the Judiciary remained compliant with changes in state and federal laws.

Maintaining Court Expertise

The Judiciary has a number of mechanisms to ensure that judges, masters and court professionals maintain their knowledge of child support matters and recent legislative changes. A **summary of new bills that became law** and **case law updates** are included regularly in *Family Matters*, the newsletter of the Department of Family Administration.

The Judiciary also uses child support incentive funds, received under its Title IV-D contract to send approximately 60 clerk's office employees, masters and judges to the annual **Maryland Joint Child Support Conference** held each year in Ocean City. The Judiciary's Child Support Incentive Funds Committee each year has planned training modules at the conference for clerks and masters. During Fiscal Year 2005, that committee also awarded a **grant to the Maryland Joint Child Support Conference Committee to bring an excellent keynote speaker** to discuss customer service, Anna Eidson.

Securing Resources and Funding Innovation

Title IV-D Contract

Each year the Maryland Judiciary negotiates a contract with the Child Support Enforcement Administration to receive **federal funding, under Title IV-D** of the Social

Security Act, which pays, in part for the handling of child support establishment, enforcement and modification.

During Fiscal Year 2005, the Judiciary was able to add funding to the contract for **Family Law Self-Help Centers** – as these have become an important resource for self-represented parents in child support matters. The Judiciary has used these funds to help the Circuit Courts improve assistance to respondents and petitioners in child support matters.

Child Support Incentive Fund Committee

The Maryland Judiciary receives some "incentive funds" in addition to the federal dollars provided under the Judiciary's Title IV-D contract. The **Child Support Incentive Fund Committee of the Conference of Circuit Court Clerks** issues notices of funding of availability and solicits applications from within the Judiciary to determine how those dollars will be spent to enhance the child support enforcement system.

In addition to sending court staff to the annual child support conference, funds have also been provided for programs that enhance a number of child support innovations. During Spring, 2005, the Child Support Incentive Fund Committee awarded the following grants:

- ❖ **Family Division - Circuit Court for Baltimore City, *Child Support Video*.** This informational video will instruct listeners on establishment of child support, calculation of child support, modification of child support and enforcement of orders. The video will be shown to the general public in the Family Division waiting areas.
- ❖ **Somerset County Family Services Program, *Children Need Love and Support*.** This public awareness project permitted the court to rent a billboard on Route 13 in Somerset County. The billboard refers the public to Somerset County Child Support Services or Family Services for assistance with child support issues.
- ❖ **Clerk of the Circuit Court for Allegany County, *Brochure Rack and Fax Machine*.** This grant was used to purchase a brochure rack to display child support brochures and the purchase of a fax machine for use by the child support department.

- ❖ **Clerk of the Circuit Court for St. Mary's County, *PaperFlow Licenses and Shipping.*** This grant permitted the purchase of additional licenses for PaperFlow software that allows the Clerk's Office to scan paternity files and retrieve documents electronically. The grant will cover some archiving costs for these cases.
- ❖ **Circuit Court for Caroline County, *Fatherhood For Now.*** This fatherhood program provides a comprehensive and coordinated approach to building a strong and lasting capacity in fathers to support their children. This grant supplements funding provided by the Circuit Court, the Family Support Center, the Human Services Council (Local Management Board), the Caroline County Counseling Center and Prevention Office, Mosaic Connection, and Mental Health Services.

Supporting Non-Custodial Parents and Their Families

Employment Services for Payors

During Fiscal Year 2005, the Circuit Court for Baltimore County began an initiative to improve child support enforcement efforts by helping payors address an underlying problem to lack of payment – lack of employment. That court was awarded a federal grant to launch an employment and support program for non-custodial parents paying child support in Baltimore County. The **Family Employment and Support Project (FESP)** combines court oversight, case management, employment referral and employment training to get non-custodial parents who have been delinquent with child support payments back on track, financially contributing to the well-being of their children.

Participants are required to meet weekly with a court employment coordinator, actively seek employment, retain employment and pay child support. An employment coordinator determines each individual's employment skills and training needs, and makes appropriate referrals for job training. Court employment coordinators also recruit local employers as referral sources. Participants remain under the supervision of the court for one year. The goal of the program is to increase accountability and employment opportunities for non-custodial parents to help them improve their relationships with their children, and to increase the emotional and financial support available to those children.

The court made 86 referrals to the program during Fiscal Year 2005. Employment coordinators held 250 in-person conferences and another 263 phone contacts with clients during that period. A total of 37 clients were employed as a result of the program, and a total of \$35,448 of child

support was collected, even though the program was only operations for seven months during the fiscal year.⁷

Nurturing Fathers

A Special Project Grant now supports one program originally initiated with Incentive Funds, the Nurturing Fathers program in Worcester County. This 10-week curriculum cultivates and supports male nurturance in an effort to benefit men, women and children in family relationships. The program was begun as a partnership of the Circuit Court and the Worcester County Health Department. The program is designed to re-engage fathers in the lives of their children. The court refers non-custodial fathers with pending child support or child access cases, although the program is open to all. Program services are offered in Berlin, Snow Hill, Pocomoke and the Worcester County jail on a rotating basis.

Brochures

The Judiciary has developed a series of six (6) brochures on key child support topics. The brochures have been printed and distributed to courts and agency partners, and are available from the Department of Family Administration.

⁷ Circuit Court for Baltimore County, *id.*, p. 24.

Standard 3.4 Treatment of Unrepresented Parties

The Family Divisions endeavor to provide for each person within their jurisdiction equal care and fair treatment, without regard to representational status. To this end, should a party who is not represented wish legal representation, Family Divisions refer them to potential legal representation resources.

A Coordinated Statewide Approach to Assisting the Self-Represented

Family Law Self-Help Centers

Maryland is one of the few states that has adopted a statewide approach to assisting the self-represented. Maryland citizens have universal access to **Family Law Self-Help Centers**. These free, walk-in legal clinics are available in every Circuit Court and are in high demand. During Fiscal Year 2005, these programs served 38,846 individuals.

Family Law Self-Help Centers provide assistance in a variety of case types. They also perform an important function by discussing with litigants whether their case is appropriate for self-representation. Litigants with high conflict custody issues, complex financial issues, or litigants who themselves appear unable to represent themselves effectively are advised to seek the assistance of counsel. Family Law Self-Help Centers make thousands of referrals each year to local lawyer referral programs, and to legal services providers.

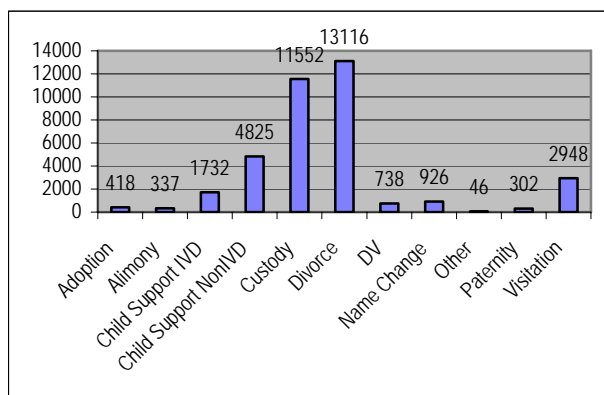


Figure 25. Family Law Self-Help Centers – Assistance Provided by Case Type – FY05

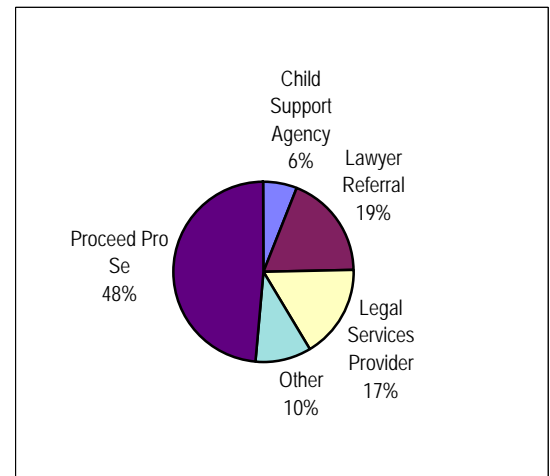


Figure 26. Family Law Self-Help Centers – Referrals and Recommendations Made – FY05

Promoting Quality Self-Help Programs

To aid courts in managing effective self-help programs, the Judiciary has adopted a set of **Best Practices for Programs to Assist Self-Represented Litigants in Family Law Matters**. The document was developed by family support services coordinators, self-help providers and other key stakeholders, and was thoroughly vetted and revised by the Judicial Conference Committee on Family Law before being adopted and endorsed by the Conference of Circuit Judges during Fiscal Year 2005. This technical assistance guide has been printed and distributed to judges, masters, coordinators and self-help providers. It has also been posted on the Judiciary's website.

The Department of Family Administration has also been following up on a number of recommendations that grew out of an assessment conducted of the family law self-help programs under a grant from the State Justice Institute, completed during Fiscal Year 2004.

Forms: A Key Tool for the Self-Represented

The Department of Family Administration continues to maintain the **Domestic Relations Forms** online. These critical tools enable thousands of individuals to file and respond to pleadings and motions, who might not

otherwise be able to participate in the family justice system.

The entire body of forms and supporting web pages has also been **translated into Spanish**. These are provided online in a bilingual Spanish/English format with complete instructions in fillable PDF.

The Judiciary plans to extend the accessibility of the forms by translating and creating bilingual versions in several key additional languages.

Telephone Support

To help litigants in using the online forms, the Maryland Administrative Office of the Courts (AOC) provides Special Project Grant funds to the Women's Law Center of Maryland to operate the **Legal Forms Helpline**. Users can call a toll free number to speak with an attorney to get help in completing and filing the Domestic Relations Forms.

To support the new Spanish forms, the Women's Law Center also provides the **Legal Forms Helpline in Spanish**, one half-day per week. Spanish speakers can call and speak with a Spanish-speaking attorney for help with the bilingual forms.

Substantive Legal Information on the Web

The Judiciary has taken an active role in providing support and guidance to the Maryland Legal Assistance Network (MLAN) that operates the **People's Law Library (PLL)**. PLL is a legal content website that provides in-depth information on a broad range of legal topics which has earned a national reputation for excellence. The Judiciary has provided sustaining funding for the project, and plays an active role in the governance of the project. MLAN is housed at and administered by the Legal Aid Bureau of Maryland, in collaboration with a broad community of legal services providers. Links to PLL and other MLAN resources from the Family Administration web pages and forms pages, enhances the depth of information available to litigants.

Addressing Special Case Management Needs

Many self-represented litigants believe that once they have filed a petition or answer in a case, the hard part is over. Many do not realize that they may be required to take proactive steps to ensure that their case reaches disposition. A number of jurisdictions have adopted the practice of holding **status conferences** in cases involving the self-represented – to see if additional motions need to be filed to ensure the case moves forward. In those instances, self-represented litigants can be referred to the self-help center so they can receive information on how to take next steps. The Circuit Court for Prince George's

maintains a **paralegal unit** that reviews *pro se* filings and pleadings to ensure they are legal sufficient.

Other courts have developed specialized forms of alternative dispute resolution to address the needs of the self-represented. The Circuit Court for Baltimore City operates an **in-house mediation program** for self-represented litigants. The Circuit Court for Harford County operates a **settlement conference program** using volunteer attorney facilitators to help the parties resolve cases involving the self-represented.

Understanding the Needs of the Self-Represented

Data Collection Efforts

In order to plan effectively to address the needs of the self-represented, the Department of Family Administration collects and compiles data from every jurisdiction on the **number of individuals appearing without benefit of counsel** at a variety of stages of domestic litigation. In addition, all Family Law Self-Help Centers collect and report on the **demographics of self-represented individuals** using the program. Data accuracy has continued to improve and has demonstrated a level of consistency. The Department of Family administration provides technical assistance regularly to individual jurisdictions to assure data collection in this area and others is accurate.

One key function of the self-help centers is to assist litigants in determining if it is appropriate for them to represent themselves. All self-help centers refer litigants to appropriate legal services or other programs if it is advisable for them to be represented. In Fiscal Year 2005, slightly less than one-half of all program users (48%) were advised that it was appropriate to proceed *pro se*. The rest were advised to seek the assistance of another community-based legal services provider or other program that could assist them.

How Many Individuals are Self-Represented?

In order to get a true picture of the impact of self-representation on the family justice system, the Judiciary looks at *pro se* appearances at a variety of stages of litigation. A court case is not a single, finite event but a series of events that happen over time. Individuals may begin their court case believing they can handle the case themselves but may end up engaging an attorney once it becomes clear that the case is contested or a trial is pending. In other instances, individuals may run out of funds before the case is over and be compelled to discharge their attorney. Data is collected through the Judiciary's information system to track the number of

domestic cases that involve one or more self-represented persons at various stages.

The level of self-representation can vary greatly by jurisdiction. In the Circuit Court for Baltimore City, 86% of all cases involved at least one self-represented litigant at the time the Answer was filed, as opposed to 68% statewide.

Who is Unrepresented?

While the Judiciary's information system does not currently permit courts to capture demographics of self-represented litigants, we can get some sense of who is appearing without benefit of counsel by looking at the demographics for Maryland's Family Law Self-Help

Centers. Individuals who request assistance from these programs are asked to complete a one-page demographic questionnaire.

While there are local variations, the typical self-represented litigant is an African –American female with a high school education and a household income of under \$15,000 per year.

Although it would be difficult to say with accuracy the reason for the increase, Fiscal Year 2005, during which forms and web-based resources were added in Spanish, saw an increase in the percentage of Spanish speakers served by the program from 9 to 13%.

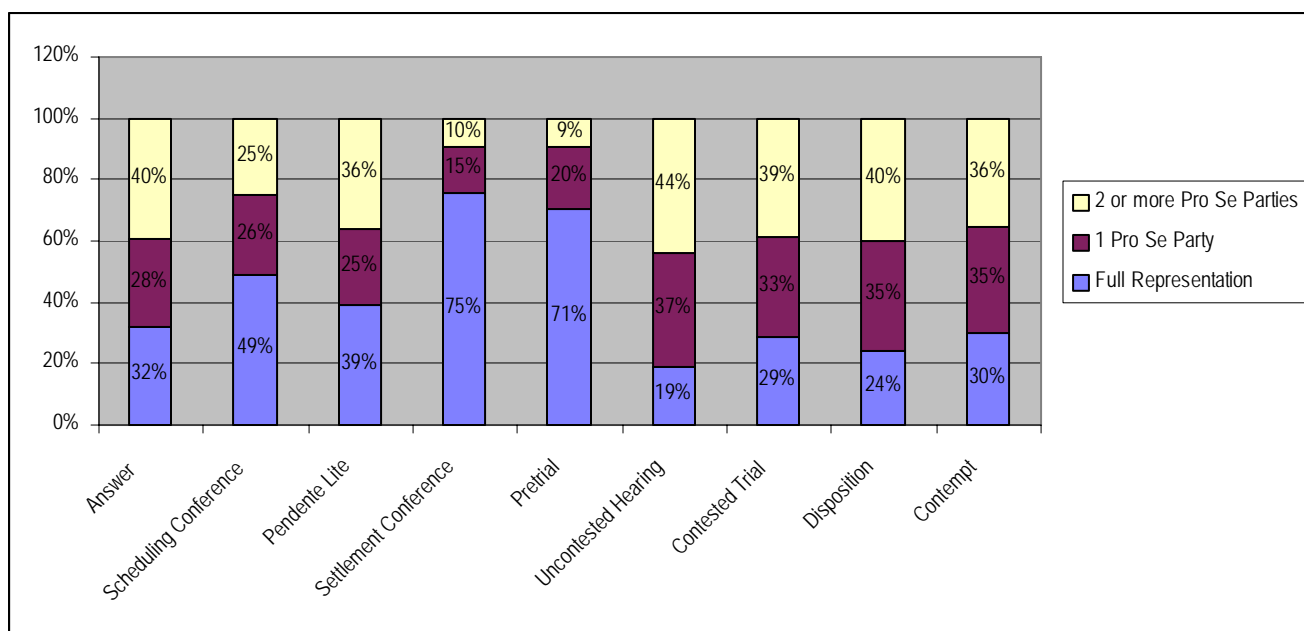


Figure 27. Pro Se Appearances in Domestic Litigation – FY05

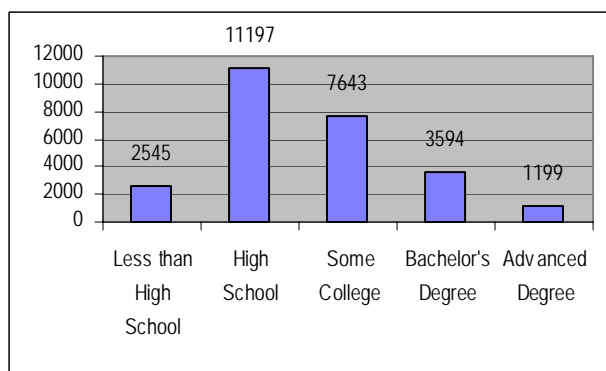


Figure 28. Self-Help Center Demographics – Highest Level of Education – FY05

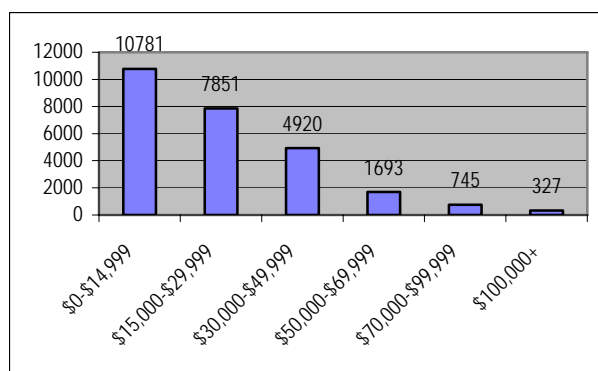


Figure 29. Self-Help Center Demographics – Household Income – FY05

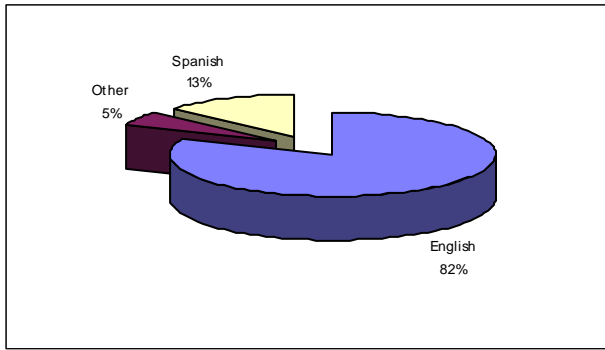


Figure 30. Self-Help Center Demographics – Primary Language – FY05

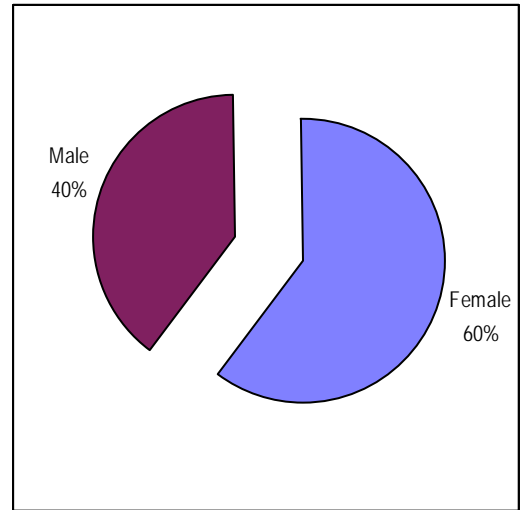


Figure 32. Self-Help Center Demographics – Gender – FY05

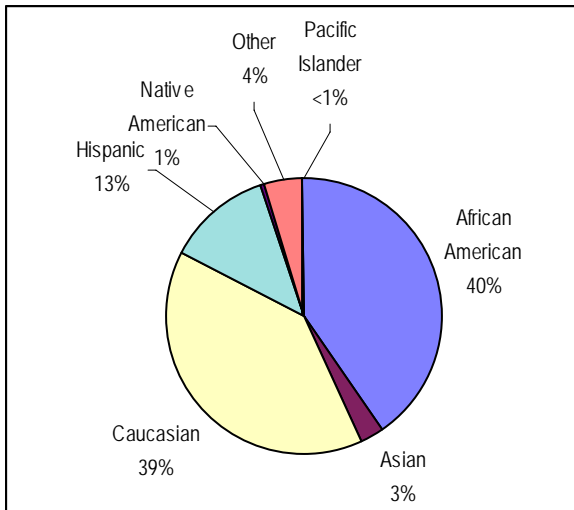


Figure 31. Self-Help Center Demographics – Race / Ethnicity – FY05

Independence and Accountability

Adhering to values of independence and accountability ensures that a system of justice will retain the respect and confidence of those who come before it. The Judiciary regularly evaluates its performance to ensure accountability of the family justice system.

Standard 4.1 Performance Issues

The Family Divisions conduct regular reviews of their performance to assist with the responsibility to manage effectively, to participate actively in long range planning, to identify and pursue needed resources, and to account publicly for performance.

Annual Evaluation Cycle

Maryland Circuit Court Family Divisions are subject to a series of regular evaluation protocols. Each Family Division or Family Services Program submits **quarterly financial and program reports** to the Department of Family Administration at the Administrative Office of the Courts. This information is used to measure financial accountability and ensure programs are on track. This data is compiled annually and incorporated into this **annual report**.

Periodic Audit

All jurisdictional and Special Project grantees are subject to periodic audits and management reviews upon request of the Department of Family Administration.

Performance Standards and Measures

The Judiciary adopted a set of *Performance Standards and Measures for Maryland's Family Divisions* in 2002. These standards serve as the measure by which evaluations and site visits are conducted. They provide guidance to all jurisdictions in developing long-range plans and establishing priorities for future development.

Family Division Evaluation Tools

During Fiscal Year 2005, work continued on the development and implementation of four survey instruments for use in evaluating court performance in light of the *Performance Standards*. With funding from a

State Justice Institute technical assistance grant, a consultant was hired to design four tools:

- ❖ A Litigant Satisfaction Survey
- ❖ An Attorney Satisfaction Survey
- ❖ A Co-Parenting Course Exit Survey
- ❖ A Self-Help Center Exit Survey

The consultant delivered the final survey instruments, an implementation plan, and a database capable of producing aggregate reports in January, 2005.

Working with family division administrators and coordinators, the Department of Family Administration has devised a timeline for conducting the surveys. Judicial Information Systems is aiding the department by producing termination reports and contact information so that surveys may be mailed to litigants whose cases closed during the month of December, 2005, and to their attorneys. Co-parenting and Self-Help Center exit surveys will be distributed and collected by those programs during the month of March, 2006.

Guidelines and Best Practices

The Judiciary has developed and/or adopted guidelines in several areas, some of which are referred to in the Maryland Rules.

Attorney Guidelines for CINA/TPR Cases

The *Guidelines of Advocacy for Attorneys Representing Children in CINA and Related TPR and Adoption Proceedings* took effect July, 2001. Developed by the FCCIP Representation Subcommittee, the document provides comprehensive guidance for how children are to

be represented in these cases, from an initial meeting to the final disposition of the case. All vendors under contract with the Maryland Legal Services Program of the Department of Human Resources, the entity that provides for child representation in such matters, must abide by the *Guidelines*.

Guidelines for Child Counsel in Custody Cases

During Fiscal Year 2005, the Judicial Conference, Committee on Family Law, Custody Subcommittee, under the leadership of its then-chair, the Honorable Marcella Holland, Circuit Court for Baltimore City, developed a similar document intended to guide attorneys in providing effective representation to children in custody cases. The Conference of Circuit Judges approved the *Maryland Standards of Practice for Court-Appointed Lawyers Representing Children in Custody Cases* in September, 2005. The standards were developed with three goals in mind: 1) to improve the quality and availability of representation for children in custody cases; 2) to promote consistency of practice and terminology around the State; and 3) to provide a uniform set of standards for attorneys in these cases.

The conference has forwarded the new standards to the Rules Committee recommending that they be incorporated into the Maryland Rules.

Family Court ADR Program Best Practices

During Fiscal Year 2005, the Judiciary also adopted a set of best practices for family court-based alternative dispute resolution programs. The work was the product of many months of dialogue among court administrators, coordinators, and mediation professionals.

Best Practices for Programs to Assist Self-Represented Litigants

A second best practices document, intended to provide guidance to courts in managing the Family Law Self-Help Centers was likewise adopted during Fiscal Year 2005.

Both the *Best Practices for Family Court ADR Programs* and the *Best Practices for Programs to Assist Self-Represented Litigants in Family Law Matters* have been printed and distributed to judges, masters, coordinators, service providers and others.

Evaluating ADR Programs

During Fiscal Year 2005, the Department of Family Administration co-funded, with MACRO, a pilot project to test a performance-based method for evaluating court mediators. The Maryland Council on Dispute Resolution (MCDR) conducted videotaped role-plays with mediators

who serve on the family mediation panels for the Circuit Court for Anne Arundel County. Prior to the assessments MCDR provided mediators training to improve their skills. An initial videotaped role-play was followed several weeks later by a second videotaped role-play to gauge improvement. After each session, mediators received feedback from two MCDR evaluators. The court received written assessments of each of its panel mediators.

MACRO continues to work on a statewide certification process for Maryland mediators as well as a protocol for evaluating individual mediators and mediator programs. Information from the pilot is informing those projects.

Foster Care Assessments

During Fiscal Year 2005, the Judiciary participated in two assessment projects relating to its role in the management of child abuse and neglect cases.

FCCIP Workload Assessment

The FCCIP conducted a study of the judicial and legal resources needed to ensure child welfare cases are managed effectively. Surveys were distributed during the Fall of 2004 to juvenile judges, masters, attorneys and court clerks. The University of Maryland was hired to analyze the data and produce a report on the number of judges and attorneys needed to adequately handle the child welfare caseload in the State. The surveys used were developed jointly by the ABA Center on Children and the Law and the National Council of Juvenile and Family Court Judges, with input from the FCCIP. The information gained from the report will be used to help the Judiciary and its agency partners plan for the required resources.

Title IV-E Secondary Review

During Fiscal Year 2005, the Maryland Department of Human Resources and the federal Administration for Children and Families conducted a secondary review of Maryland's Title IV-E program. The review examined the state's compliance with federal regulations relating to funding for foster care and accountability for foster care financial claims on behalf of eligible children and providers. An initial review had been conducted during Federal Fiscal Year 2002. In this secondary review, federal and state reviewers looked at a sample of records to determine if there had been a change in the state's compliance. Reviewers found a "dramatic improvement" in the state's compliance with federal regulations since the initial review. Maryland was recognized for effective collaboration between the Department of Human Resources, the local departments of social services, the courts, the FCCIP and other partners.

Standard 4.2 Information Sharing

The Family Divisions endeavor to share information about their effective case management and processing practices within each jurisdiction, which practices may then be replicated.

Regular Opportunities to Exchange Information

The Department of Family Administration creates regular opportunities for family court professionals to gather to exchange information and share new ideas. The Department continues to host **quarterly meetings for family support services coordinators, Family Division administrators, and permanency planning liaisons**. Meetings generally include in-service trainings, updates on legislation and case law, and highlights of new promising practices.

During Fiscal Year 2005, that group held an **annual retreat** to reflect on accomplishments and identify new goals. The event featured a “best new idea” of the year contest where coordinators were encouraged to identify their most promising innovation. Their peers then voted on which ideas are most exemplary and the winners were acknowledged with small awards.

Conferences and Trainings

The Judiciary continues to host seminars and conferences on key family law topics. In Fiscal Year 2005, in addition to the annual **CAN DO conference**, the Judiciary sponsored a **one-day conference on family law and substance abuse**, as well as a **one-day conference on CINA/TPR mediation** to support that evolving field.

Individual jurisdictions have likewise taken the lead in producing seminars and conferences. The Circuit Court for Anne Arundel, Family Division, regularly organizes **Learning Lunches** for the bench. Those events include presentations by Family Division staff or local clinical or legal professionals on key family topics. They provide an

opportunity for members of the bench to hear from and interact with other professionals serving families.

Many courts regularly hold events where service providers can exchange information and update their knowledge. The Circuit Court for Anne Arundel County hosts a **clinical lecture series for custody evaluators**. Local mental health practitioners are invited to speak to the court’s clinical professionals. Carroll County hosts **bi-monthly professional breakfast meetings for mediators** to discuss professional ideas and materials. The Circuit Court for Harford County, Office of Family Court Services also regularly hosts **seminars on family law topics**, bringing in experts in the field.

The Eastern Shore counties hosted their third annual **regional family court conference**. The event was planned and sponsored by family support services coordinators from Caroline, Dorchester, Kent, Queen Anne’s, Somerset, Talbot, Wicomico and Worcester counties. The October, 2004, event, held at Chesapeake College in Wye, Maryland, featured sessions on mental health issues and alternative dispute resolution. The fourth annual conference was primarily for attorneys and focused on representing children in custody cases. That event was held in October, 2005, at the Eastern Shore Hospital in Cambridge, Maryland.

The Circuit Court for Frederick County sponsored a conference entitled, **“From War Zone to Comfort Zone: Understanding Family Court Proceedings and the Mental Health Clinicians’ Roles in Family Law Disputes.”** Mental health clinicians and attorneys attended the conference which featured information on forensic evaluations and the roles clinicians play in family cases. Participants received continuing education units approved by the Board of Social Work Examiners.

Standard 4.3 Fair and Efficient Forum for Dispute Resolution

The Family Divisions are fair and efficient forums for the resolution of family disputes. They endeavor to engage in uniform practices, including dispute resolution, fee collection, forms, access to services, appropriate data base linkages, information sharing and case management practices.

Family Divisions and Family Services Programs best exhibit a “fair and efficient forum” when they play the role of “problem-solving courts.” Circuit Courts no longer evaluate their performance solely on their ability to

“move cases,” but are able to balance their case management responsibilities with the need to ensure that the individuals involved in the process are empowered

and given the opportunity to make decisions themselves, when possible.

Promoting Conflict Resolution Skills for Court Professionals as Well as Litigants

Co-parenting Courses Set the Stage for ADR

Sometimes parents themselves have to be given permission to reclaim the decision-making processes for themselves. During co-parenting education, parents discuss ways to ensure that their decision-making remains child-focused. Parents are oriented to the mediation

process and taught what to expect and how to get the most from the process.

Mediation Training for Judges, Court Professionals

Each year the Department of Family Administration offers 60 hours of mediation skills training to judges, masters, coordinators and other family court professionals. The courses are offered to give those individuals an opportunity to develop their conflict resolution skills, improve their neutrality, and help them better understand and make better referrals for mediation and other forms of ADR.

Standard 4.4 Safety and Security

The Family Divisions aspire to provide a safe and secure environment for system users and personnel. Sufficient resources must be committed to ensure adequate safety and security for vulnerable persons, including victims of domestic violence and of child abuse and neglect.

All jurisdictions and Special Project Grantees are charged with providing services in a physical environment that promotes the safety and security of all participants.

Physical Accommodations

Many jurisdictions have been able to build **secure locations for Family Division staff**. As the Family Divisions and Family Services Programs have matured, local governments who are responsible for courthouse facilities, have been able to plan for and accommodate Family Division staff in suites that are in separate areas. For example, the Family Services Program of the Circuit Court for Cecil County moved into newly renovated space during Fiscal Year 2005.

Fifteen jurisdictions have identified **specialized family or child-friendly waiting areas**. While not secure spaces, these spaces can make it easier for families to care for children while at the courthouse and reduce the likelihood of exposing children to conflict or lack of supervision. The Circuit Court for Baltimore City has been able to provide full-time, trained staff to run a child waiting room where parents can drop children off when they have to be in court. The staff follow special procedures to protect the children in their care and ensure they are only released to authorized persons.

In providing some services, courts and their contractual vendors must often pay attention to the **specialized needs of those services and the persons who use them**. For example, family visitation centers often provide separate entrances or waiting areas for custodial and non-custodial parents, or they may require visiting parents to arrive after the custodial parent has dropped the child off for the visit, to minimize the potential for contact and conflict between parents.

Improved Screening for Family Violence Issues

Courts must pay attention not only to the safety concerns of physical accommodations; they must also ensure that the processes they require litigants to follow enhance their safety as well. As aforementioned, the Judiciary has developed protocols and tools to help courts better screen cases to identify family violence issues. When those issues have been identified, the court can take steps to safeguard family members by, for example, not sending the family to mediation. Mediation is often counter-indicated for families with a history of violence. The court may want to refrain from ordering the parties to be present at the same location, unless it is for a court hearing.

Standard 4.5 Uniform Qualifications

Each Family Division operates in a predictable and uniform manner with respect to uniform staffing needs, job qualifications, and clearly articulated job descriptions. A uniform training module for family division judges, masters and staff is utilized for all new personnel of the Family Divisions.

The Department of Family Divisions has worked with all jurisdictions to shepherd a relatively uniform structure for Family Divisions and Family Services Programs statewide. Some of these efforts have been reinforced by statutory and funding changes that permitted the conversion of certain positions within Family Divisions to come under state control.

State Control Promotes Consistency

Within the last four years, statutory changes have created state positions for all new **masters** and **law clerks**. These positions, formerly local government positions, are now fully funded by the State and all new hires are State employees. This has permitted the Judiciary to develop uniform job descriptions for these positions and impose a uniform salary structure.

Shepherding Uniformity for Local Government Positions

Many administrative court functions including court administrators, family division administrators, family support services coordinators, drug court and other specialty court coordinators, and permanency planning liaisons remain local government employees. The Department of Family Administration has used its leverage as a grantor to promote uniformity across the State in how family support services coordinators and other key family positions are utilized and compensated. The Department approves all Family Division budgets and has provided administrative judges with recommended job descriptions and qualifications for key positions.

Public Trust and Confidence

Efforts made to improve the family justice system reinforce the court's effectiveness by improving the public's trust in the judicial process. The orders the court promulgates are only as powerful as the authority with which the public vests them. Litigants are often surprised to realize that courts have no private army available to enforce court orders. Ultimately, those orders are effective because individuals have confidence in the courts. If the public perceives that the family justice system is fair and equitable, they willingly enter into the social convention that reinforces the validity of the decisions that result from that process. Basically, they agree to submit to those orders. This is the fragile foundation of any civil justice system. It must be carefully cultivated and maintained.

Standard 5.1 A Therapeutic, Holistic, Ecological Approach to Family Law Decision-making

The approach of Maryland's Family Divisions to family law decision-making is therapeutic, holistic and ecological in its perspective.

Owning the Decision

If It's Yours, It Can't Be Wrong

Maryland's Circuit Court Family Divisions and Family Services Programs educate the parties in family cases, and provide parties with multiple opportunities to reach a settlement without going to trial. A key value of the State's family justice system is the recognition that parents are ultimately the best decision-makers for themselves and their children. They are more knowledgeable about their children's needs and their family's particular situation. By making decisions themselves, the parties maintain ownership of that decision – they are more committed to it and more

invested in its success or failure. They are more likely to feel that the "right" decision was made, even if that decision required them to compromise or sacrifice one of their own objectives.

Courts make extensive use of alternative dispute resolution techniques. Maryland citizens can avail themselves of child access mediation, marital property mediation, CINA/TPR mediation, facilitation, settlement conferences, and parenting coordination.

A Therapeutic Focus

Does It Help or Hinder?

As courts have come to emphasize family court reform, they have come to acknowledge that they are at a critical nexus – they see families in crisis and are in a unique position to identify that family’s needs and connect them with much-needed services. Maryland courts make referrals for a broad range of treatment – including individual and family therapy, other types of mental health treatment, substance abuse treatment, medical care, and other services. Family support services coordinators

in each jurisdiction have identified appropriate community-based resources to provide these services. Coordinators play key roles on Local Management Boards and other multi-disciplinary groups that identify service gaps and cultivate new resources when necessary. The court has, in most jurisdictions, come to be seen as a critical partner in the social services network.

Courts have also recrafted case management procedures to enhance therapeutic services, and to minimize the trauma families are subjected to when they enter the judicial system.

Standard 5.2 Fairness, Courtesy and Civility

The Family Divisions provide a forum for litigants that is fair, courteous and staffed by personnel who conduct themselves according to established standards of civility.

Promoting Professionalism

The Judiciary regularly offers **courses in customer service** through its Human Resources Training Department. Customer service topics are often featured at in-service trainings and conferences as well.

The Child Support Incentive Fund committee provided a grant to the Maryland Joint Child Support Conference to engage keynote speaker **Anna Eidson, a noted expert on customer service**. Ms. Eidson addressed child support clerk’s office staff, masters, judges, child support enforcement professionals and attorneys attending the October, 2005, conference held in Ocean City, Maryland.

Many of the **best practices documents** and **attorney guidelines** adopted by the Judiciary address customer service issues for court professionals and attorneys working in Maryland’s family justice system.

Measuring Civility and Professionalism

The Judiciary will have an opportunity to measure how well court staff, judges and others are doing in treating court customers with fairness, courtesy and civility. A Litigant Satisfaction Survey and an Attorney Satisfaction Survey will directly measure the perception of those key groups on how they are treated by Judiciary staff. Those surveys will be distributed during January, 2006.

Standard 5.3 Visible Presence in the Community

The Family Divisions must be a visible presence in the courthouse and the community.

Maryland Circuit Court Family Divisions and Family Services Programs have made great efforts to establish their visible presence in the community. The success of Family Divisions depends, in part, on how well the court is integrated into and networked with the community.

Highlights and Examples

Family support services coordinators and family division administrators serve as **liaisons for the court with various community-based organizations and other agencies serving families and children**. For example, the coordinator for the Circuit Court for Worcester County serves on the following boards and committees:

- ❖ Worcester Co. Local Management Board
- ❖ Worcester Co. Domestic Violence Coalition
- ❖ Worcester Co. Multi-disciplinary Team
- ❖ Worcester Co. Citizens Review Panel
- ❖ Worcester Family Connections Advisory Board
- ❖ Worcester Co. Mental Health Advisory Board
- ❖ Worcester Co. Local Pro Bono Committee
- ❖ Lower Shore CASA Advisory Committee
- ❖ Juvenile Drug Court Training Team
- ❖ Juvenile Coordinating Council

Children who have been involved with the foster care system in Queen Anne’s County are invited two times a year to special family fun events sponsored by the Circuit

Court. In August, 2004, the **court hosted a picnic on Kent Island and boat ride for 34 children and their foster families. A holiday meal and activities** are provided each year in December.

The Office of Family Court Services (OFCS) at the Circuit Court for Harford County sponsors a **speakers' bureau** that participates in and sponsors local conferences. OFCS worked with public schools and the Harford County Drug Abuse Task Force to create a **30-minute video to air on the local cable network channel on children and divorce.** That court also sponsored a **countywide interdisciplinary family law workshop** in October, 2004 and October, 2005. They also publish a **newsletter, *Families are Forever***, to provide community awareness of ADR options and various services.

The Circuit Court for Somerset County and the Somerset County Child Support Enforcement Office collaborated, with funding from a Child Support Incentive Fund grant, to lease a **billboard** in the county with the message "Children Need Your Love and Support." The billboard provides information about a weekly self-help clinic and telephone numbers where families can get more information and help in child support cases.

The Frederick County coordinator participated with others in several **workshops on the family justice system for school guidance counselors, principals and vice principals.**

Publications and Web Presence

Courts provide information to the public about available resources and programs by offering brochures, publications and information on the Internet.

Family Administration Website

The Department of Family Administration at the AOC maintains a website with information on court services, publications, contact information, links to individual court sites, MLAN and the People's Law Library, and to the Domestic Relations Forms.

Publications

The Judiciary distributes several **child support brochures.** The Judiciary's activity book for children, ***My Day at Court***, is still in high demand and is in its third printing of 20,000.

Reaching Out to the Hispanic Community

The Domestic Relations Forms have been released in a **Spanish-English bilingual format.** To promote the use of the forms and the **Spanish web pages**, the Judiciary hosted an **orientation for organizations serving the Hispanic community** in March, 2005.

A NUANCED APPROACH TO FAMILY COURT REFORM

MARYLAND'S COURT REFORM EFFORTS HAVE MATURED SINCE FAMILY DIVISIONS AND FAMILY SERVICES PROGRAMS WERE CREATED IN 1998. As the programs and specialized approaches to family cases have become more universally accessible across the state, the Judiciary has been able to turn its attention to quality assurance issues and best practices. Courts have new tools that permit them to more accurately match the services provided to the needs of individual families in an effort to ensure that these reforms are reflected in the individual experience of each family and each child that comes before the courts.